



REVISED

**BOYNE CITY
CITY COMMISSION REGULAR MEETING
Boyne City Hall
319 North Lake Street
Tuesday, January 10, 2012 at 7:00 p.m.**

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

3. **CONSENT AGENDA**

The purpose of the consent agenda is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff, or the public may ask that any item(s) on the consent agenda be removed and placed as the last item under new business to receive full discussion. Such requests will be automatically respected.

- A. Approval of the December 13, 2011 regular City Commission meeting minutes as presented
- B. Approval to appoint Mark Dole to the Boyne City Historical Commission filling out the term of Betty Shaver with a term to expire on November 30, 2012
- C. Approval to appoint Josette Lory to the Economic Development Corporation board to fill an unexpired term expiring March 11, 2013
- D. Approval to appoint Josette Lory to the Local Development Finance Corporation board to fill an unexpired term expiring March 11, 2012 and extended to the next four year term ending March, 2016
- E. Approval to appoint Gail VanHorn to the Parks and Recreation Commission to fill an unexpired term expiring December 31, 2015
- F. Approval to reappoint Carl Wehner to the Parks and Recreation Commission with a term to expire December 31, 2015
- G. Approval to appoint James Kozlowski to the Planning Commission to fill the remainder of the term vacated by Norman Gardner with the term to expire on May 31, 2014
- H. Approval to reappoint Larry Lenhardt to the Main Street Board with a term to expire December 31, 2016
- I. Approval to reappoint Jodie Adams to the Main Street Board with a term to expire December 31, 2016
- J. Approval of request from Boyne City Public Schools to collect Summer Taxes for 2012

4. **HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)**

5. **CORRESPONDENCE**

- A. Notice of Military Operations Aircraft exercises July 22 thru September 1, 2012

7. **REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES**
 - A. Draft Minutes of the December 1, 2011 Main Street Board Meeting
 - B. Draft Minutes of the December 19, 2011 Economic Development Corporation Meeting
 - C. Draft Minutes of the December 19, 2011 Historical Commission Meeting
 - D. Draft Minutes of the December 20, 2011 Parks and Recreation Commission Meeting
 - E. Draft Minutes of the December 19, 2011 Planning Commission Meeting
8. **UNFINISHED BUSINESS**
 - A. North Boyne Access Issues Follow-up
9. **NEW BUSINESS**
 - A. **Kirtland Products Status**
Review of issues, concerns and solutions involving Kirtland Products
 - B. **Snowmobile Access Update**
Report of City Manager on current snowmobile access issues and activities
 - C. **Health Insurance Discussions**
Consideration to approve funding Health Saving's Accounts for non-union employees participating in the City's Priority Health HAS plan for 2012 at the \$1,750 and \$3,500 levels as outlined above
 - D. **Boyne Thunder**
Consideration to support and endorse the 2012 Boyne Thunder Event to be held July 11 thru 15, 2012; support the application to the Liquor Control Commission for a special license for the sale of beer, wine and spirits on the premises; and authorize City staff to work with the Boyne Thunder committee on needs and issues that may arise as event plans move forward
10. **GOOD OF THE ORDER**
11. **ANNOUNCEMENTS**
 - The City Goal Setting meeting will be held on January 12, 2012 at 6:00 p.m. at St. Matthews Church Fellowship Hall
 - The next regular City Commission meeting is scheduled for Tuesday, January 24, 2012 at noon
12. **ADJOURNMENT**

Individuals with disabilities requiring auxiliary aids or services in order to participate in municipal meetings may contact Boyne City Hall for assistance: Cindy Grice, City Clerk/Treasurer, 319 North Lake Street, Boyne City, MI 49712; phone (231) 582-0334



**DECEMBER 13, 2011
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 319 NORTH LAKE STREET, ON TUESDAY DECEMBER 13, 2011

CALL TO ORDER

Mayor Ron Grunch called the meeting to order at 7 pm followed by the Pledge of Allegiance.

Present: Mayor Ron Grunch, Mayor Pro-Tem Gene Towne, Commissioners Derek Gaylord, Laura Sansom and Tom Neidhamer

Staff: Cindy Grice, Scott McPherson, Andy Kovolski, Michael Cain, Barb Brooks, Dennis Amesbury, Dan Meads, Craig Remsberg, Kevin Spate

Others: There were nine citizens in attendance, including representatives from the Petoskey News Review and Charlevoix County News

**CONSENT AGENDA
MOTION**

2011-12-128

Moved by Neidhamer

Second by Gaylord

Approved of the November 29, 2011 regular City Commission meeting minutes as presented

Ayes: 5

Nays: 0

Absent: 0

Motion carried

CITIZENS COMMENTS

Doug Bean said the ice pole is being greatly missed this year and a lot of people want to see it there. He understands the new ice rink and the safety concerns and said if there isn't room on the triangular piece of property at the end of water street, maybe the ice pole could be in Veteran's Park. City Manager Cain said that alternative locations for the ice pole had been looked at and if the ice rink doesn't work there, the ice tower will probably return.

CORRESPONDENCE

None

CITY MANAGERS REPORT

City Manager Cain reported:

- Acting Police Chief Craig Remsberg and Acting Assistant Police Chief Kevin Spate were introduced to the City Commissioners
 - The Housing Commission vacancy has been filled by Chuck Vondra.
 - City Manager Cain wished everyone a Merry Christmas and a Happy New Year
-

**REPORTS OF OFFICERS,
BOARDS, AND STANDING
COMMITTEES**

Draft Minutes of the October 27, 2011 Airport Advisory Board Meeting; the November 3, 2011 Main Street Board Meeting; the November 10, 2011 Parks and Recreation Commission Meeting and the November 21, 2011 Planning Commission Meeting were received and filed.

Consideration to approve a contract with C2AE for Topographic Survey and Base Map Services in the amount of \$1,600 and \$480 for locating soil boring locations and analysis of the soil borings; and consideration to approve the contract with Soils and Structures for soil borings in the amount of \$2,020 and authorize the City Manager to sign the required documents.

Public Works Superintendent Andy Kovolski discussed the condition of Hannah Street from State to Vogel Streets that is in dire need of reconstruction. The road surface is in very poor condition for most of this segment, with sections of pavement that have totally failed. The current transite water main should be upgraded as well. There is also an issue of poor drainage in this area that has a high water table and is known to have poor soils making surface drainage problematic. Preliminary engineering work should be done as proposed.

Citizens Comments: None

Staff Comments: None

Board Deliberation: All are in agreement. Commissioner Neidhamer inquired about the budgeting process and picking out other streets for next year. Mayor Grunch asked if there is adequate hydrant service on that street.

2011-12-129

Moved by Towne

Second by Sansom

MOTION

To approve a contract with C2AE for Topographic Survey and Base Map Services in the amount of \$1,600 and \$480 for locating soil boring locations and analysis of the soil borings; and consideration to approve the contract with Soils and Structures for soil borings in the amount of \$2,020 and authorize the City Manager to sign the required documents.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Consideration to obtain input on future usage of the City's siren with direction to staff to further consider the matter, any input received and bring back a recommendation for the City Commission's consideration at its January 10, 2012 meeting

City Siren Usage

City Manager Cain discussed the guidelines local fire chiefs have been meeting to develop for the usage of emergency sirens in their communities. The issue has arisen as part of the discussion of how to use the sirens to alert the public when a dangerous situation arises for which they may need to take immediate safety measures.

Our siren currently has three settings including a 30 second curfew tone that goes off at 10:30 every night set off by a timer. The 3 minute rising and falling pitch goes off for most fires is toned by 911 emergency dispatchers and the 3 minute steady tone is for take cover and is set off

manually here. The underlying question that will need to come before the Commission in the future is should we change any of our current siren practices to help insure its effectiveness when it is used in the case of an emergency needing quick public response. No specific recommendation is being proposed at this time.

Greg Williams, Emergency Director for CCE also discussed Charlevoix and East Jordan's usage. Boyne City Fire Chief Dennis Amesbury said some of his crew likes to hear the siren going off.

Citizens Comments: John McCahan said he is opposed to any non-emergency use of the siren, particularly the curfew. Use the siren for a real emergency. Sharon Bean is in favor of keeping the siren and we have to stop taking away.

Board Deliberation: Commissioner Neidhamer asked if the siren is a good tool for curfew. Acting Police Chief Remsberg said he has used it himself and we could probably get by without it. Acting Police Chief Spate said he likes it for fire runs but doesn't think it is necessary for curfews. Commissioner Gaylord agrees that most kids have cell phones with the time on it, but understands the nostalgia. There are other tools in place for the curfew. Commissioner Sansom said she has heard from citizens regarding the curfew. Some people are annoyed by it. Kids all know what time it is and sometimes people cannot distinguish what the siren means. Sometimes when it rotates, it sounds like it is wavering. Mayor Pro Tem Towne said he would like to hear more input from the citizens and a more uniform Charlevoix County siren policy.

Jim Baumann, said when he read the story about Charlevoix he brought this issue up on Facebook because he doesn't even like the curfew. Responses to the Facebook post were about 4 to 1 in favor of the curfew siren. He added that people can be desensitized by too many sirens and would like to see fewer of them.

Grand Traverse Band of Ottawa and Chippewa Indians Grant Opportunity

Consideration possible applications to the upcoming round of Grand Traverse Band of Ottawa and Chippewa Indians grants and authorize staff to apply for \$5,000 for the Riverwalk Extension Project and \$10,000 for the M-75 Sidewalk Project

City Manager Cain discussed the two grant cycles per year for the Grand Traverse Band of Ottawa and Chippewa Indians. The next applications for these cycles are due on December 31 of this year. At this point, staff would like permission to submit an application for \$5,000 to help pay for the Riverwalk extension on the North side of the Boyne River next to the Eagles and another \$10,000 to help extend public sidewalks along M75 from the Middle School, west to Airview Street, next to Great Lakes Energy. The City has received grants from the Great Lakes Energy People fund for \$1,000 and the Charlevoix County Community Foundation for \$4,698 for the Riverwalk project. We look to undertake both of the projects in 2012.

Staff Comments: None

Citizens Comments: None

Board Deliberation: Commissioner Towne said we should move forward with both grants. Commissioner Gaylord agreed and hopes we are successful. Commissioner Sansom inquired as to the cost of the Riverwalk project and was informed approximately \$60,000 to \$70,000. Commissioner Neidhamer agrees to proceed.

MOTION

2011-12-130

Moved by Towne

Second by Neidhamer

To approve to authorize staff to apply for the upcoming round of Grand Traverse Band of Ottawa and Chippewa Indians grants for \$5,000 for the Riverwalk Extension Project and \$10,000 for the M-75 Sidewalk Project

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Consideration to approve a motion opting out of the requirements of PA 152 of 2011 for 2012.

**Public Act 152 of 2011
Compliance**

City Manager Cain added this item that we need to take action on prior to January 1, 2012 in order to stay in compliance with PA 152 of 2012. State of Michigan law provides 3 options to the City; 1) adopt a hard total dollar cost cap that the City would pay equal \$5,500 per year for one person, \$11,000 for a two person policy and \$15,000 for a family. These numbers are to be adjusted annually; 2) adopt an 80/20% cost split between the City and the Employee or 3) have the City Commission by a 2/3 vote, opt out of options 1 or 2 for one year, which can be renewed.

Citizens Comments: None

Staff Comments: None

Board Deliberation: All are in agreement

2011-12-131

Moved by Towne

Second by Sansom

MOTION

To approve to opt out of the requirements of PA 152 of 2011 for 2012

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Commissioner Sansom discussed the noise that the new Kirtland Products factory is producing and complains she has heard. She inquired if there is a way to muffle the sound. Scott McPherson said we are aware of the issue and will be meeting with representatives from Kirtland tomorrow. Hopefully this issue can be resolved. Commissioner Gaylord thanked all who assisted in the memorial services for Private Jack Diener. Commissioner Neidhamer said he thinks we should address the snowmobiling issue and how we can

Good of the Order

handle it short term this winter. Mayor Grunch said we could do an update on how to get here and Commissioner Gaylord said we need to look at advertising. It can work for the short term while looking long term.

2011-12-132

Moved by Grunch

Second by Neidhamer

**Closed Session
MOTION**

To approve the request of the City Manager to go into closed session to consider strategy connected with the negotiation of a collective bargaining agreement as provided in MCL 15.268 (c) of the Michigan Open Meetings Act (PA 267 of 1976) at 8:03 p.m.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

2011-12-133

Moved by Grunch

Second by Gaylord

**Return to Open Session
MOTION**

To return to open session at 9:32 p.m.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Moved by Mayor Grunch, seconded by Commissioner Sansom to adjourn the regular City Commission meeting of Tuesday, December 13, 2011 at 9:32 p.m.

**ADJOURNMENT
MOTION**

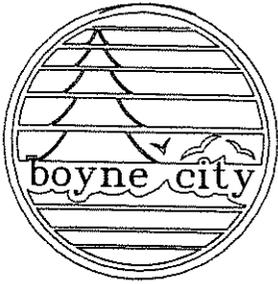
Ron Grunch
Mayor

Cindy Grice
Clerk/Treasurer

INTEROFFICE MEMORANDUM

TO: CITY CLERK-CINDY GRICE *Mc*
FROM: MICHELE HEWITT-DEPUTY TREASURER
SUBJECT: HISTORICAL COMMISSION BOARD APPOINTMENT
DATE: 12/20/2011

At our December 19, 2011 meeting the Boyne City Historical Commission accepted the board application presented by Mark Dole to replace Betty Shaver with a term to expire 11/30/2012. We would recommend that the City Commission approve this board applicaton.



MEMO

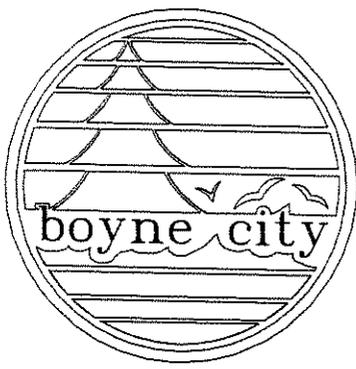
City of Boyne City

To: Michael Cain, City Manager *MC*
From: Karen Seeley *KS*
Date: December 21, 2011
Re: Board Appointment

At the December 19, 2011 Economic Development Corporation (EDC) meeting the following motion was made:

Grom moved Copeland seconded PASSED UNANIMOUSLY to recommend the City Commission appoint Josette Lory to the EDC (Economic Development Corporation) to an unexpired term ending March 11, 2013.

There was not a quorum for the LDFA (Local Development Finance Corporation; however during a discussion it was determined by those in attendance that she would be a great addition to the LDFA. At this time they would also like to recommend Josette Lory to the LDFA for an unexpired term ending March 11, 2012 and to be extended to the next four year term ending in March 2016.



CITY OF BOYNE CITY

MEMO

To: Michael Cain, City Manager *Mc*

From: Barb Brooks, Executive Assistant *(BB)*

Date: January 3, 2012

Subject: Parks and Recreation Board Member Appointment

At the Tuesday, December 20, 2011 meeting of the Parks and Recreation Board, the board unanimously voted to recommend to the City Commission the appointment of Gail VanHorn to the Parks and Recreation Board to fill a board vacancy. The term is a four year term, expiring 12/31/2015.

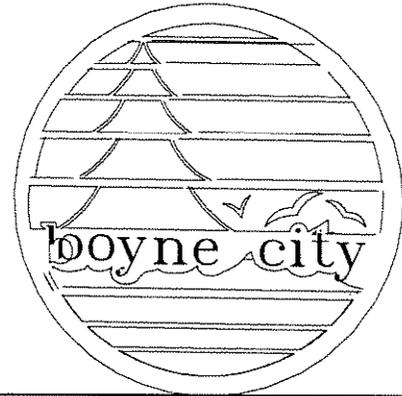
The board also voted to recommend the reappointment of Carl Wehner on the board for a four year term, expiring 12/31/2015

*The term for Vice Chair Wehner expires December 31, 2011. Wehner expressed an interest in serving a second term on the board. After board discussion, **Sheean moved, Swift seconded, PASSED UNANIMOUSLY** a motion to recommend Carl Wehner to four year term on the Parks and Recreation Board, expiring December 31, 2015.*

*An application was received by Gail VanHorn to serve on the board. The board also reviewed an application that was submitted in February by Heath Meader. The board discussed both applicants and felt that VanHorn would make a nice addition and would provide some diversity to the board. **Kuhn moved, Sheean seconded, Passed Unanimously** to recommend the City Commission appoint Gail VanHorn to the Parks & Recreation Board with a term expiration of December 31, 2015.*

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
From: Scott McPherson, Planning Director *SM*
Date: January 10, 2012
Subject: Planning Commission Appointment



Background Information

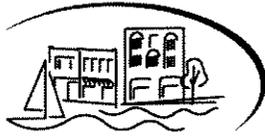
At the December 19th Planning Commission meeting the Planning Commission interviewed potential Planning Commission candidates that applied to fill the remaining term of Norm Gardener who resigned his seat in September 2011. The candidates were Aaron Place and James Kozlowski. The Planning Commission found both of the candidates extremely qualified and making a choice between the two candidates was a challenging task but ultimately the Planning Commission recommended James Kozlowski for the appointment.

Process

The procedures for the appointments to the planning commission are regulated by Ordinance A - 21. The ordinance stipulates that planning commissioners are appointed by the Mayor subject to the majority vote of the City Commission. The appointment would fill the seat vacated by Norman Gardner which was a 3 year term expiring May 2014.

Recommendation

Appoint James Kozlowski to the Boyne City planning commission for the remainder of the term vacated by Norman Gardner expiring on May 31, 2014.



Boyne City

MAIN STREET

112 S. Park Street, Suite F
Boyne City, MI 49712
Tel: 231-582-9009
Fax: 231-582-9009
mainstreet@boynecity.com

Date: January 6, 2012

To: City Commissioners and
Michael Cain, City Manager *MC*

From: Hugh Conklin, Program Manager *HC*

Re: Main Street Board Appointments

Two positions on the Main Street Board of Directors are open due to the expiring terms of Larry Lenhart and Jodi Adams.

Notice of Board vacancies were published in the local newspapers, the Chamber-Main Street e-news, and in the city's year-end newsletter. Four applications were received by the Dec. 16 deadline. They were from Jodie Adams, Larry Lenhart, Andy Schmittiel, and Ron VanHorn.

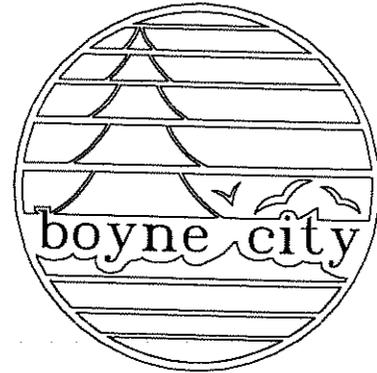
At its January 5 meeting the Main Street board approved the recommendation from its Organization Committee to nominate Jodie Adams and Larry Lenhart to the Main Street board.

Recommendation

The Main Street Board recommends the City Commission approve the appointment of Jodie Adams and Larry Lenhart to 4-year terms ending January 18, 2016 to the Main Street board.

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
From: Cindy Grice, City Clerk/Treasurer *cg*
Date: January 5, 2012
Subject: Request from Boyne City Public Schools to
Collect Summer Taxes - 2012



Summer Tax Collection for Boyne City School Taxes: The Boyne City Schools has requested the City collect one-half of the school property taxes in the summer of 2012. Since 1984 the City has performed this collection with no additional fee provided a written waiver of allocation of interest from taxes collected is signed between the Schools and City. Note attachments: Letter of request from Boyne City Public Schools, Annual Summer Tax Resolution, and a proposed agreement between the City and Schools.

The City will continue to remit the collected taxes to the school on a timely schedule of ten (10) business days after the first and fifteenth day of each month as provided in Section 211.43 (3) a. of the General Property Tax Act.

I recommend that this practice be continued and that the City Manager and City Clerk/Treasurer be authorized to sign the agreement between the City and the Schools. This item can be placed on the Consent Agenda.

Thank you.

AGREEMENT

Collection of Summer School Property Taxes

between

Boyer City Public Schools and the City of Boyer City

Agreement made this 10th day of January 2012 by and between the Boyer City Public Schools and the City of Boyer City, pursuant to 1976 PA 561, as amended, for the purpose of providing for the collection by the City of Boyer City of a summer levy of fifty percent (50%) of Boyer City School District Property Taxes for the year 2012.

The City of Boyer City agrees to collect fifty percent (50%) of the total Boyer City School district property taxes as certified by the Boyer City School District for levy on July 1, 2012 on property located within Boyer City.

There will be no charge to the Boyer City Public Schools for the collection of the taxes. However, the Boyer City Public Schools agree to allow the City of Boyer City to retain the interest earned on summer property taxes collected, provided the City of Boyer City remits said tax collections within two calendar weeks following the 1st and 15th of each month.

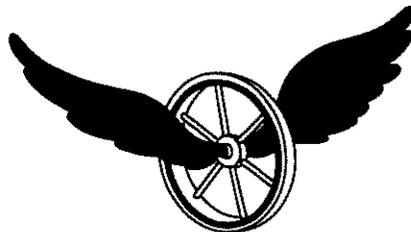
The Boyer City Public Schools shall certify to the City Treasurer the Boyer City School District Millage to be levied on property for the summer collection of 2012.

BOYER CITY PUBLIC SCHOOLS:

CITY OF BOYER CITY:

Michael Cain, City Manager

Cynthia Grice, City Clerk/Treasurer



Boayne City Public Schools

Excellence in Academics, Arts & Athletics

Central Office • Peter Moss, Superintendent • pmoss@boayne.k12.mi.us
321 South Park St. • Boyne City, MI 49712 • Phone 231.439.8190 • Fax 231.439.8195 • www.boayne.k12.mi.us

December 13, 2011

Michael Cain
City Manager
319 North Lake Street
Boyne City, MI 49712

Dear Mike:

This is a continuing request of the City of Boyne City to collect the 2012 summer tax levy as has been done in the past.

At their regular meeting on December 12, 2014, the Board of Education adopted the following motion:

#11-12-81 Summer Tax Collection - Annual Resolution

Motion: "that the Board of Education adopt the "Annual Summer Tax Resolution" and further authorize the sending of a letter to the City of Boyne City requesting them to continue collecting summer taxes for the 2012 tax year and beyond."

Boayne City Public Schools would appreciate your support in this matter and a written response to this request.

I am available at your convenience to discuss this with you. Please contact me as soon as possible so we can stay within the time lines established pursuant to 1982 PA 333.

Sincerely,

Peter Moss, Superintendent

PM/ta

NOTICE OF NONDISCRIMINATION: In reference to Policy JAA-B, Boyne City Public School does not discriminate on the basis of religion, race, color, national origin, sex, or disability in its programs, activities or employment. Further, it is the policy of this District to provide an equal opportunity for all students, regardless of gender, religion, race, color, national origin or ancestry, disability, marital status, place of residence within the boundaries of the District, or social or economic status, and/or any other legally protected characteristic, to learn through the curriculum offered in this District.

Inquiries related to discrimination on the basis of disability should be directed to Section 504 Coordinator: 1025 Boyne Ave, Boyne City, MI, 49712, (231)439-8200.
Direct all other inquiries related to discrimination to: Superintendent, 321 S. Park St., Boyne City, MI, 49712, (231) 439-8190.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Ayes: Members: 7

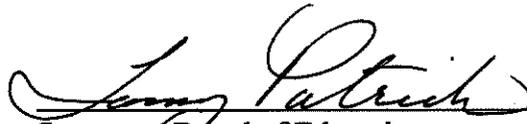
Nays: Members: 0

Motion declared adopted. 7 to 0.



Secretary, Board of Education

The undersigned, duly qualified and acting Secretary of the Board of Education of Boyne City Public Schools, Charlevoix and Antrim Counties, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by said Board of Education at a regular meeting held on December 12, 2011, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, PA 1976, as amended).


Secretary, Board of Education

PJB/kmh

**PROPOSED ESTABLISHMENT
Of
Grayling North & South Temporary Military Operations Areas (MOAs)
Northern Michigan**

AIRSPACE STUDY 11-AGL-53NR

SUMMARY: The Federal Aviation Administration (FAA) is considering a request by the United States Air Force (USAF) to establish the Grayling North and South Temporary Military Operations Areas (MOAs). This proposed airspace would provide maneuvering airspace north and south of the Grayling Aerial Gunnery Range (R-4201A/B) in support of Exercise NORTHERN FURY. The purpose of this temporary MOA study is to identify and define an airspace area which would contain aircraft conducting military operations. The proposed temporary MOAs would be effective during the following times:

- 1200-0100 CDT daily, other times by NOTAM
- July 22 - September 1, 2012

Exercise NORTHERN FURY is designed to integrate ground forces with air operations in a Major Combat Operation training scenario. The execution of NORTHERN FURY allows combat air forces to practice weapons attack mechanics, target acquisition, and reaction to simulated surface-to-air threats while coordinating with friendly ground elements. Specifically, the proposed MOAs will be used for aircraft marshaling, air-to-air refueling, and as a maneuver corridor for attack aircraft on ordnance deliveries into the R-4201 complex.

NORTHERN FURY will execute from Alpena Combat Readiness Training Center, Michigan. Approximately 30 sorties per day will participate in the exercise. Aircraft types include AV-8B, F-5, AH-1/UH-1, KC-130, A-10, EA-6B, and F-16. Activities will occur between 5,000' Mean Sea Level (MSL) to but not including Flight Level 180 (FL 180).

COMMENTS INVITED: The purpose of this notice is to invite interested persons to submit in writing any comments they may have regarding the overall aeronautical aspects of the proposal presented in this notice. Comments which provide a factual basis supporting the views and suggestions presented are the most helpful. Persons wishing to comment should submit correspondence to:

Manager, Operations Support Group, AJV-C2
Airspace Study 11-AGL-53NR
Department of Transportation
Federal Aviation Administration
2601 Meacham Blvd
Fort Worth, TX 76137

Revised 1-3-12

Comments received on or before February 15, 2012 will be considered before final action is taken on the proposal. The proposal may change in light of comments received.

NOTICE DISTRIBUTION: Persons interested in being placed on a mailing list for future notices should submit such requests to the FAA at the address listed above.

PROPOSAL: Detailed descriptions of the MOAs are listed below. Refer to the enclosed copy of the Lake Huron Sectional for a graphical presentation of the proposal.

1a. DIMENSIONS FOR GRAYLING NORTH TEMPORARY MOA, MICHIGAN

- a. Horizontal
Beginning at lat. 44°56'00"N., long. 84°29'00"W.;
to lat. 45°08'00"N., long. 84°35'00"W.;
to lat. 45°08'00"N., long. 84°43'00"W.;
to lat. 45°02'00"N., long. 84°43'00"W.;
to lat. 44°56'00"N., long. 84°39'00"W.;
to the point of beginning
- b. Vertical 5,000' MSL to but not including FL180

1b. DIMENSIONS FOR GRAYLING SOUTH TEMPORARY MOA, MICHIGAN

- a. Horizontal
Beginning at lat. 44°47'00"N., long. 84°39'00"W.;
to lat. 44°43'00"N., long. 84°40'00"W.;
to lat. 44°41'00"N., long. 84°40'00"W.;
to lat. 44°34'00"N., long. 84°35'00"W.;
to lat. 44°34'00"N., long. 84°24'00"W.;
to lat. 44°40'00"N., long. 84°25'00"W.;
to lat. 44°47'00"N., long. 84°29'00"W.;
to lat. 44°47'00"N., long. 84°39'00"W.;
to the point of beginning
- b. Vertical 5000' MSL to but not including FL 180

2. TIME OF USE

July 22-September 1, 2012: 1200-0100 CDT daily, other times by NOTAM

Contact Minneapolis Air Route Traffic Control Center (ARTCC) for status.

3. CONTROLLING AGENCY

FAA, Minneapolis ARTCC, Farmington, Minnesota.

4. USING AGENCY

USAF, Air National Guard, Alpena Combat Readiness Training Center, Michigan

5. MISCELLANEOUS

Activities. Military aircraft will conduct aggressive three-dimensional maneuvering by attack and transport category fixed wing and rotary wing aircraft involving abrupt, unpredictable changes in altitude, attitude, and direction of flight. Supersonic flight is not authorized in the temporary MOA. Chaff/flares will not be employed.

No restrictions will be imposed on nonparticipating Visual Flight Rules (VFR) aircraft. VFR pilots are expected to exercise vigilance while transiting the temporary MOA. They are strongly encouraged to contact the nearest flight service station and request the latest NOTAM information, or contact Minneapolis ARTCC to ascertain the status of the temporary MOA.

6. ENVIRONMENTAL/LAND USE ASPECTS

Provide comments on the environmental and land use aspects of the proposal to:

Major Ryan Kristof
Environmental Manager, Alpena CRTCC
5884 A Street
Alpena, MI 49707
Telephone: (989) 354-6233
ryan.kristof@ang.af.mil

FOR FURTHER INFORMATION, CONTACT

Department of Transportation
Federal Aviation Administration
Operations Support Group
ATTN: Michael Rizzo, AJV-C23
2601 Meacham Blvd
Fort Worth, TX 76137
Telephone: (817) 321-7733
Fax: (817) 321-7744

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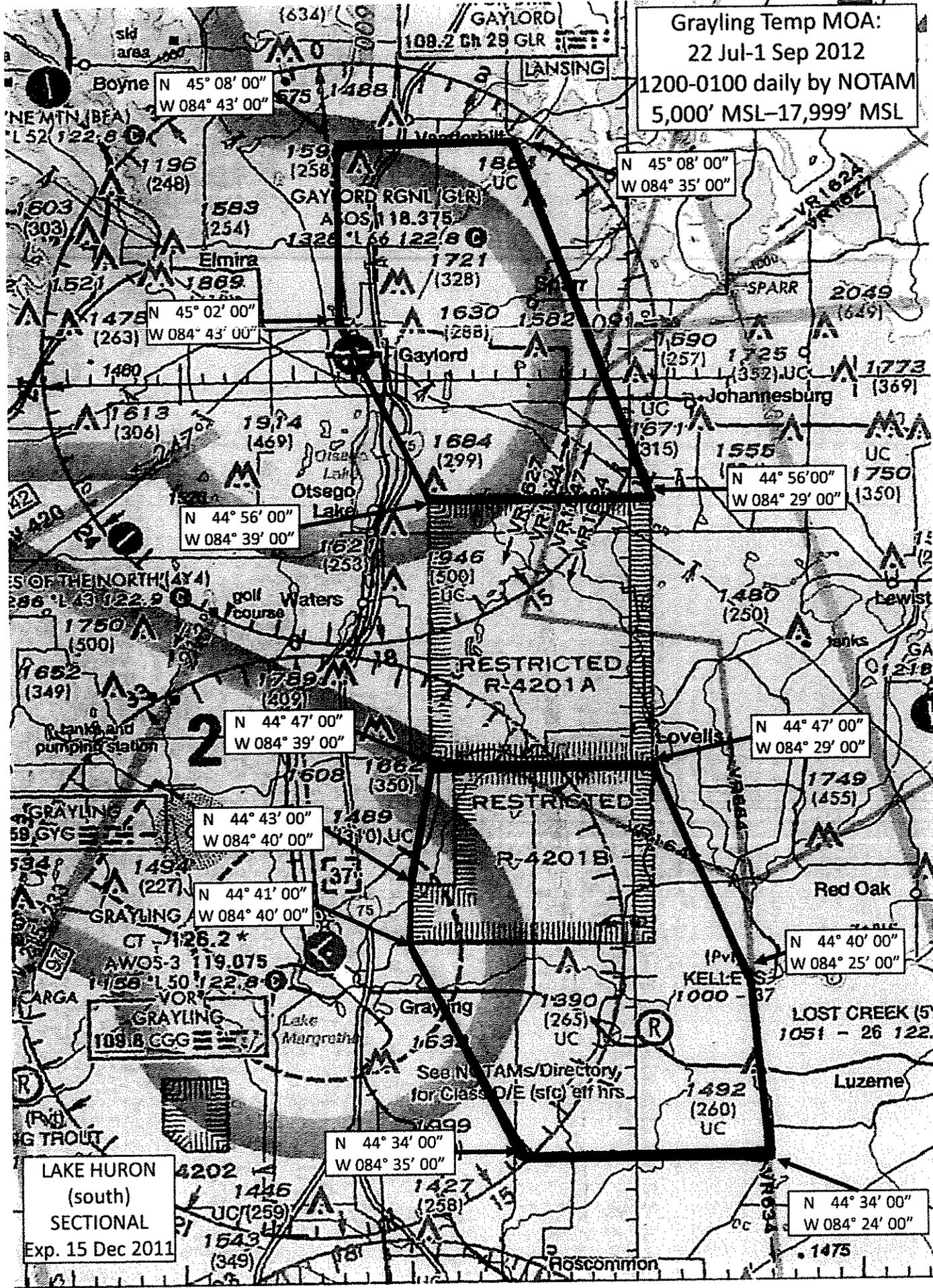
David P. Medina
Manager, Operations Support Group
ATO Central Service Center

Enclosure
Map

cc: AGL-230, AGL-610, ASW-910; ASW-920; ASW-930; AJV-11; AJV-12; AJR-15,
AJV-C24, Minneapolis ARTCC-530; Michigan State Aviation Director

SEE DISTRIBUTION LIST

Grayling Temp MOA:
22 Jul-1 Sep 2012
1200-0100 daily by NOTAM
5,000' MSL-17,999' MSL



N 45° 08' 00"
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LAKE HURON
(south)
SECTIONAL
Exp. 15 Dec 2011

See NOTAMS/Directory,
for Class D/E (s/c) eff hrs



Approved: _____

**Meeting of
December 1, 2011**

MINUTES OF THE BOYNE CITY MAIN STREET BOARD REGULAR MEETING HELD ON THURSDAY, DECEMBER 1, 2011 AT 8:30 A.M. IN THE COMMISSION CHAMBERS AT CITY HALL, 319 NORTH LAKE STREET

Call to Order

Chair Lenhart called the meeting to order at 8:30 a.m.

Roll Call

Present: Mike Cain, Bob Carlile, Michelle Cortright, Larry Lenhart, Pat O'Brien and Rob Swartz

Absent: Jodie Adams (arrived 8:37 a.m.), Kathy Anderson and Robin Berry Williams (arrived 8:31 a.m.)

**Excused Absence
MOTION**

Cain moved Cortright seconded PASSED UNANIMOUSLY to excuse Kathy Anderson

Meeting Attendance

City Staff: Main Street Manager Hugh Conklin, Assistant Planner/Zoning Administrator, Shannon McMaster and Recording Secretary Karen Seeley

Public: There were two people in attendance

**Approval of Minutes
MOTION**

Carlile moved, Cortright seconded, to approve the November 3, 2011 regular meeting minutes as presented.

Correspondence

Main Street Manager Conklin read a thank you he received from John Blossey, a member of the Petoskey Jaycees.

Citizens Comments

None

**Main Street Committee
Reports**

Main Street Manager Conklin reported on:

- **Team Boyne – Creating Entrepreneurial Communities (ER committee)** The Market Study Update Project continued this week with Business Recruitment Training provided by Downtown Professionals Network (DPN). Main Street Manager Conklin explained the committee chose a Brew Pub to recruit for the day-long business recruitment exercise of meeting with the potential investor, introducing him to the community and showing him possible properties. At the end of the exercise the committee was evaluated. The committee feels now is the time to be active and to make it a priority to recruit new businesses to the Main Street district.

Promotions: The committee hosted two holiday promotions: the third annual "Earlier than the Bird" retail event on Saturday, Nov.

19, and the Holiday Open House and Santa Parade. Both were successful, but the Holiday Open House, from all reports, was a huge success. Board discussion on recognizing Karen Guzniczak for her efforts with Stroll the Streets as it has in past years. Cortright moved, Berry-Williams seconded PASSED UNANIMOUSLY to recognize Karen Guzniczak for all her hard work with the Promotions Committee, with a gift not to exceed \$100.00. Main Street Manager Conklin stated that many people do a lot of good things and cautioned singling one person out each year. Board suggestions of having a “volunteer of the year” award, much like the Chamber does or maybe honoring the Promotions Committee as a whole in the future.

- **Design:** Minutes of the Nov. 14 meeting are included in the packet. Historic architect Bill Rutter has started work on the application for the National Register for Historic Places nomination. He was in Boyne City Nov. 19-21 doing research. The MEDC is no longer offering Façade grants. The Design Committee is working on developing guidelines for Main Street to create its own façade grant program and will be bringing something to the board in the future.
- **Farmers Market:** It was a successful opening month for the Farmers Market in its winter home in the Red Building next to the Boyne District Library. The annual year-end vendor meeting-potluck was held Nov. 7th with no significant issues raised. This was the second full year for the market in Veteran’s Park and the committee will be approaching the Parks and Recreation commission to make Veteran’s Park the market’s permanent home.
- **Organization** –The committee did not meet.
- **Boyne Thunder:** The committee has resumed regular monthly meetings. Its first order of business is to configure a new route for next year’s events. It is considering a route that would take boaters south to Northport and Elk Rapids rather than to Beaver Island.

Main Street Manager Conklin reported on:

- The Community Holiday Tree is up in Sunset Park. It was donated by John & Susan Vondra and cut, delivered and set up by John Nagle.
- The ice rink was ordered for the Sunset Park location.
- Café Sante will host a fund raiser December 4th from 5:30-8:30; all proceeds will help fund the building and maintenance of the ice rink.
- We have received two applications for the two board seats that expire in January.
- There will be a conference call December 13 at 8:30 a.m. regarding the Main Street accreditation, Conklin encouraged the Chair and Vice Chair to attend.

Managers Report

New Business

Farmers Market Committee appointments:

Terms for three vendor positions and one at-large committee member are expiring on the Farmers Market Committee. Each term is for three years.

Applications for the vendor positions were received from current members Suzanne Morrison and Ella McPherson. Vendors Joann Brown and Waneta Cook also submitted applications. Lucy Hartlove applied for the at-large position. At its November 5 meeting, the farmer's market committee reviewed the applications and is recommending the appointment of vendors Suzanne Morrison, Ella McPherson and Waneta Cook. It also recommends the appointment of Lucy Hartlove to one of the at-large seats on the committee. It also recommends John McClorey be appointed an ex-officio member of the committee. John has been an active committee member but decided to forego his position on the committee to allow Lucy Hartlove to serve.

MOTION

Cortright moved, Cain seconded PASSED UNANIMOUSLY to approve the appointment of Suzanne Morrison, Ella McPherson, and Waneta Cook to 3-year terms on the Farmers Market Committee, Lucy Hartlove to the at large position and to appoint John McClorey as an ex-officio member.

Farmers Market By-Laws Changes:

As the Farmers Market has evolved under the management of Main Street, there are some areas on how the market is now operated that are not consistent with the farmers market committee bylaws that were adopted in 2006. At its November 5 meeting, the farmers market committee reviewed the three sections in the bylaws that are inconsistent with current operation of the market and voted to recommend changes for the Main Street board to consider.

The three sections, and recommended changes, are:

Section 4: Attendance, Vacancies, and Removal of Committee Members

Committee Members are expected to attend all regularly-scheduled meetings of the Committee, and all special meetings if possible. If a Committee Member has three (3) or more unexcused absences at regularly-scheduled meetings of the Committee in the course of one year, the Committee Member shall be reported to the Boyne City Main Street Board for removal from the Committee. If there are extenuating circumstances for the unexcused absences, the Boyne City Farmers Market Committee may request the Boyne City Main Street Board not remove the Committee Member.

Recommended change: Since the committee has reduced the number of times it meets, three unexcused absences is too many. The committee is recommending the number be changed to two meetings.

Section 6: Annual (Organizational) Meeting and Fiscal Year

An annual meeting of the Committee *shall be held each October* for the purpose of installing new members, electing Committee Officers, assessing the prior year's achievements, setting goals for the ensuing year, and for the transaction of such other business as may come before the meeting.

While this organizational meeting shall be held in October primarily to coincide with the expiration of Committee Member terms, the fiscal year of the Program shall coincide with that of the City, May 1 to April 30.

Recommended change: Instead of October, hold the annual meeting in January.

Section 7: Committee Meetings

Regular meetings of the Committee *shall be held monthly* at a time and place the Committee shall determine. Special meetings of the Committee may be called at the request of the Committee Chairperson, or by four or more Committee Members. The person(s) calling said special meeting shall designate its time and place. Meetings of the Committee may be cancelled by the Committee Chairperson for good cause such as lack of pending business.

Recommended change: Regular meetings of the committee shall be held monthly between November and April. Monthly meetings are not necessary.

MOTION

Carlile moved Cain seconded PASSED UNANIMOUSLY to approve the bylaw changes in Section 4, Section 6, and Section 7 as recommended by the Farmers Market Committee.

2012 Main Street Board and Committee Meeting Schedule

Here is the proposed meeting schedule for 2012.

2012 Main Street Board Meeting Schedule

First Thursday of each month, 8:30 am at city hall commission chambers. The dates are: January 5, February 2, March 1, April 5, May 3, June 7, July 12, August 2, September 6, October 4, November 1, and December 6. (Spring Break is March 30-April 9).

2012 Main Street Committee Meeting Schedule

Organization Committee

- Third Tuesday of every month, 4 pm at Main Street office

Promotions Committee

- First Tuesday of every month, 5:30 pm at Main Street office

Design Committee

- Second Monday of every month, 4 p.m. at Main Street office

Team Boyne/Economic Restructuring Committee

- Third Friday of every month at 9 am at Boyne District Library Community Room

Farmers Market

- First Monday of the month: January, February, March, April, November, December, 10:30 a.m. Boyne District Library Community Room

MOTION

Cain moved Adams seconded PASSED UNANIMOUSLY to adopt the proposed board and committee meeting schedule for 2012.

City facilities presentation: City Manager Mike Cain updated the board on the city facilities plan that has been on going for awhile. It was presented to the City Commission at its August and October meetings. The staff has been gathering information, and feels that we can take care of most of our needs on our existing site. At this point the city is paying \$20,000 annually for rent for the Ambulance garage on Falls Park Road. City Manager Cain displayed maps with an area proposed to be added immediately west of City Hall and North of the DPW/Fire building. This

area could provide drive thru access for Fire and Ambulance vehicles. Expanding and reusing our existing facilities could be done in phases as funds and priorities allow. Once a plan is developed that meets the communities needs, we can look at up grades and improvements that make these facilities more viable and cost effective. At the October 25th meeting the City Commission made a motion to proceed with obtaining soil borings. The also made a motion to authorize staff to schedule a public hearing on this topic to take place at the first possible opportunity after positive soil boring results are obtained. Board discussion followed with a strong encouragement to get more public input.
Cortright out 9:25a.m.

Branding Presentation

Branding presentation: Main Street Manager Conkiin gave the "preview presentation" that was shown by Cindy Williams, Wednesday, November 30th. After the presentation, the board discussed how to get it out to the public for comment. It was suggested to put it on the City's website for people to review and comment. There will be more information available at the January meeting.
Swartz out 10:08a.m.

Good of the Order

- Boyne City has two new commissioners, and elected a new Mayor, Ron Grunch and Mayor Pro-Tem, Gene Towne
- There will be an open house for Randy Howard, Friday, December 2nd, 12:30-1:30 p.m.
- The City did not receive any grant monies for the Park Street project.
- The City-wide goal setting session is scheduled for January 12th, at St. Matthews Church
- A hearing is scheduled before Judge Pajtas tomorrow, on the Zoning Board of Appeal's (ZBA) decision on the Devlon property.

Adjournment MOTION

Lenhart moved O'Brien seconded PASSED UNANIMOUSLY to adjourn the December 1, 2011 meeting of the Boyne City Main Street Board at 10:19 a.m.

Karen Seeley, Recording Secretary



Approved _____

**MEETING OF
DECEMBER 19, 2011**

MINUTES OF THE BOYNE CITY ECONOMIC DEVELOPMENT CORPORATION MEETING DULY CALLED AND HELD ON MONDAY, DECEMBER 19, 2011, AT 12:00 NOON.

CALL TO ORDER

Chair Gillett called the meeting to order at 12:05 p.m.

ROLL CALL

Present: Michael Cain, Richard Copeland, Pete Friedrich, Ralph Gillett, Marilea Grom

Absent: Pat Anzell, Michelle Cortright and Jim Howell

Staff: DPW Supervisor Andy Kovolski and recording secretary Karen Seeley

Public: Seven, including a person from the media

**EXCUSED ABSENCES
MOTION**

Cain moved, Copeland seconded **PASSED UNANIMOUSLY** to excuse Pat Anzell and Michelle Cortright

**APPROVAL OF
MINUTES
MOTION**

Friedrich moved, Grom seconded PASSED UNANIMOUSLY to approve the minutes of September 12, 2011 as presented.

**HEARING CITIZENS
COMMENTS**

None

CORRESPONDENCE

None

**UNFINISHED
BUSINESS**

Kirkland Products - Noise & Odor concerns: City Manager Cain reported that the city has received numerous complaints from residents regarding the noise, odor and "plume" coming from Kirtland Products. He has met with Leon Tupper; owner of the building who is taking these issues very seriously and is working on remediation plans. At 8:00 a.m. Saturday, December 17 there were spotters at five different locations with all the machines up and running, Kirtland shut them down one by one to find out which was the most offensive. It seemed to be a couple of machines on the west side of the building. They will go back to the manufacturer on these machines to see what they can do to rectify the issue. They are very sincere in their effort to try and fix the issues.

Citizens' comments:

- Chris Whittet, 1115 Boyne Summit: They run prior to 6:00 a.m. until 11:00 p.m. and the noise is horrendous. It is very "un peaceful" and disturbing, it used to be quiet. What happens in the summer when we have our windows open?
- Shari Joles, 1129 Nordic Drive, President of the Boyne Hills Association:

- It is very noisy and what about quality of life, or the impact on the community as a whole with that noisy, ugly facility. It sounds like a train.
- Mike Hausler, 450 Cozy Nook Lane: Maybe they could visit other plants and see how they operate/need to gain more knowledge, before the EDC offers any resources.
 - Anita Clements, 1213 Nordic Drive: Is very shocked that we would have a plant like this there, with the noise, lights and the view. The residents up on the hill are really impacted; the noise seems to escalate up there.
 - Shari Joles inquired if they were violating any type of noise ordinance, if so it should be enforced.
 - Mark Kowalske, Realtor, for the folks trying to sell the old “Carters” building: We are trying to get a grocery store into that building and driving into town with Kirtland in full force, the smell is strong and there is more than steam coming from the stacks. People won’t want to buy in that location. This doesn’t fit our “hometown feel, small town appeal”. This could impact our values and what we are trying to create here, it is not working.

Board discussion: Friedrich was under the impression it was supposed to be encapsulated, but apparently not. Cain stated that these are good points that have already been brought up and somehow we need to find a proper balance. Kirtland is taking this very seriously and the city is too. He was also one of the spotters on Saturday and the humming roar is much more noticeable up on the rise. Copeland questioned if we had a decibel rating? No, we could go down those avenues if it comes down to it. Friedrich stated if they move more inside it may help with the noise. Cain stated that their customers seem to be pleased with the quality of the pellets and the burn time. However, the view, vapor cloud, noise, tactual issues (ash) all seem to be a problem. He will keep the board posted as this moves forward

LexaMar Site: Representatives from LexaMar were at the Planning Commission meeting in November. They have reduced their foot print to bring the site more into compliance. The Planning Commission gave them 6 months to continue to purge, and then see what type of storage is needed

Precision Edge: They are happy with the way things are going and very pleased with the progress.

Federal Screw IFEC: Included in the agenda package was a letter to Federal Screw works notifying them that their Boyne City facility no longer qualifies for any outstanding IFECs previously granted. The City also feels there may be cause to recapture some of the previously abated taxes. Also included was their response to the letter stating that when their facility closed here in 2010, they were in the eleventh year of a twelve year IFEC and the 2007 IFEC was never used, as they never reported any property under that abatement. Board discussion if these can be revoked? If they say they never used the second one can we recapture anything, or do we just close them out and be done with them? **Friedrich moved Grom seconded PASSED UNANIMOUSLY** to recommend to the City Commission that all existing tax abatements with Federal Screw be taken off the books.

MOTION

Board Vacancy: The board received an application from Josette Lory, part owner of Classic Instruments. Board discussion: Our purpose was to get someone from inside the Industrial Park, and as part owner, she fulfills that requirement.

MOTION

Grom moved Copeland seconded PASSED UNANIMOUSLY to recommend the City Commission appoints Josette Lory to the EDC (Economic Development Corporation) to an unexpired term ending March 11, 2013.

NEW BUSINESS

MOTION

Adoption of 2012 meeting schedule: **Cain moved, Grom seconded PASSED UNANIMOUSLY** to adopt the 2012 meeting schedule of the second Monday of every other month, January, March, May, July, September and November.

GOOD OF THE ORDER Reminder of the City wide goal setting session, January 12th at 6:00 p.m., St. Matthews Church.

ADJOURNMENT

The December 19, 2011 Economic Development Corporation meeting was adjourned at 12:41 p.m.

Karen Seeley, Recording Secretary

BOYNE CITY HISTORICAL COMMISSION

Minutes of Dec. 19th, 2011
7:00 pm
Boyne City Hall

CALL TO ORDER: 7:00 PM

PRESENT: Sansom, Hewitt, Stutzman, and Crumpler.

NOT PRESENT: Howie, and Fulkerson.

Guest: Mark & Charlyn Dole.

APPROVAL OF MINUTES Minutes of the September 19, 2011 meeting, motioned by Sansom, second by Crumpler, all ayes.

OLD BUSINESS

None

NEW BUSINESS

Review board application from Mark Dole, motioned by Sansom, second by Crumpler, all ayes. Recommendation will go to City Commission for final approval.

Calendar for 2012

March 19, 2012

June 18, 2012

Sept. 17, 2012

Dec. 10, 2012

Motioned by Hewitt, second by Sansom, all ayes.

Stutzman renewal of board application for three years, recommendation will go to City Commission for final approval.

Window displays Hewitt to contact Bethany Revior from Logo Pros to see if she would let us use her window and use Barn Mt. as our theme. Logo Pros to sell Barn Mt. t-shirt as a promotional idea. Sansom to look for Barn Mt. photos will talk to Ann Thurston. Work session for window displays will be January 12, 2012 at 4:00 pm so we can get window ready before winter festival. Hewitt to contact Kecia Freed to help with design work and attend next meeting.

Past Perfect has been purchased just need to get computer and get it installed. Hewitt to talk with City computer tech about size of hard drive that will be required.

Summer walking tours have High School students give tour, dress in period clothing. Sunday afternoon tours, Maybe charge for tour? Have lunch in park? Maybe have evening tours? Have Hugh Conklin work on this with us perhaps Main Street be the lead and us follow. Invite Jim Bauman to next meeting to get involved with the tours. How many in tour group? Tours to last approx. two hours?

Power point presentations, maybe Bill Benser to help also talk to Media Class at High School to see if they can help.

COMMUNICATIONS

Thank you card from home school group that did the walking tour in September.

Upcoming conference dates

NEXT MEETING

Work Shop January 12, 2012, 4:00 pm
March 19, 2012 7:00 pm

ADJOURNMENT

Meeting adjourned at 8:02, motioned by Hewitt second by Crumpler, all ayes.

Approved: _____

**MEETING OF
DECEMBER 20, 2011**

RECORD OF THE PROCEEDINGS OF THE **REGULAR BOYNE CITY
PARKS AND RECREATION COMMISSION MEETING HELD AT
7:00 P.M. AT CITY HALL ON TUESDAY, DECEMBER 20, 2011.**

CALL TO ORDER

Meeting was called to order by Vice Chair Wehner at 7:02 p.m.

ROLL CALL

Present: Carl Wehner, Mike Sheean, Bill Kuhn, Jerry Swift and Marie
Sheets

Absent: Paul Nicholls, and Lou Awodey

**MEETING
ATTENDANCE**

City Staff: Streets/Parks & Recreation Superintendent Andy Kovolski
Main Street Manager Hugh Conklin and Recording
Secretary Barb Brooks

****MOTION**

Public Present: None

Sheean moved, Sheets seconded, PASSED UNANIMOUSLY to
excuse the absence of Wehner and Awodey.

**APPROVAL OF
MINUTES
MOTION

Kuhn moved, Sheean seconded, PASSED UNANIMOUSLY, a motion
to approve the November 10, 2011 meeting minutes as presented.

**CITIZENS
COMMENTS**

None

DIRECTOR'S REPORT

- The Family of Five Lakes has requested to hold their Norfolk Festival in Veterans Park again. There were no issues with the event last year. The board is fine with the event and would like to have the event organizers coordinate the details with City staff.

CORRESPONDENCE

None

**REPORTS OF
OFFICERS, BOARDS
AND STANDING
COMMITTEES**

Park Inspections

- Reports of possible Beaver citing near Riverside Park. Superintendent Kovolski will take a look and continue to watch for signs of their presents.

**UNFINISHED
BUSINESS**

**Boyne City/Charlevoix
Rd. Trail Update**

Sheean reported that at the Nov. 19 County Parks Board they announced the grants have been approved for the project. There is still a remaining balance of \$17,412 and it was proposed that instead of the County funding the balance that it be raised by the citizens by way of private donations, possible fundraising and local grants. If funds are raised over and above the \$17,512 it will be used to help fund phase two of the project. Top O Michigan Trails Council will be the agency to write and receive local grants. Phase two of the project will start at US 31 and extend to approximately Camp Seagull.

**Boyne City to Boyne
Falls Trail Update**

Sheean reported the committee is continuing to work and meet regularly. They will be meeting with an engineering firm to come up with a preliminary plan. As they are still moving forward, the committee does not want to take away from the momentum and focus of the Boyne City/Charlevoix Rd. project.

**Tree Removal on the
Face of Avalanche**

Kovolski stated that he met with a representative from Al & Jim's Tree Removal service to discuss the best way to handle the tree removals. They gave him an estimate of \$4,000 to flush cut the encroaching trees on the hill. It was discussed that having the logs or brush piled up on the face of the hill would be less than attractive and there are alternative ways to address the erosion issue. The board was adamant about addressing the issue by getting some initial signage at the bottom and top. Main Street Manager Hugh Conklin agreed. He stated there is nothing the states you can't or shouldn't. Many people just do not know; the eroded area looks like a path.

The general consensus of the board was the price from Al & Jims seemed to be a good price and we should move forward with the removals.

NEW BUSINESS

**Farmers Market
Location**

Main Street Manager Hugh Conklin asked on behalf of the Farmers Market for the board to consider making Veterans Park the permanent location for the Farmers Market. He believes some of the bugs and concerns expressed from the prior year have been addressed. The park

lends itself to be a great location for the vendors and for the patrons. The market will continue to work with and coordinate with the other events that take place throughout the summer. As the market has grown they will be experimenting with the configuration a little. They have also had some concerns about pets at the market. They will be monitoring the situation. The general consensus of the board was that as long as there is communication and coordination with the other activities throughout the year that it is a good location for the market and should not have to come back in the future for permission.

****MOTION**

Sheean moved, Swift seconded, PASSED UNANIMOUSLY to allow the Farmers Market to continue to be located in Veterans Park.

**Avalanche X-County
Ski Trail Grooming**

Kovolski state there is no money in the budget to fund the position or to buy the equipment to pull the groomer. It would require a dedicated volunteer(s) with their own equipment or find a way to fund a paid person. The board discussed that even if the trail is groomed, you still have walkers and snowshoers utilizing the groomed path which will undo the grooming that has been done. There was a suggestion to speak with the Little Traverse Nature Conservancy and discuss the possibility of future grooming and coordinating a person to groom both places. Sheean commented that it would be nice to be able to promote Boyne City as a x-country ski mecca; naming Avalanche, the Hill Preserve and Young State Park as ski trails.

**Avalanche Trail
Signage**

The Hill Preserve has placed some trail signage that is fairly simple and seems to be affective that could be looked as an example. The board has asked Kovolski to contact Cindy Mom who made the signs for the Hill to see if she would be willing to assist with some signs for Avalanche and report back at the January meeting.

**Board Member Status
Discussion
MOTION

Kuhn moved, Sheean seconded, PASSED UNANIMOUSLY a motion to postpone any decision regarding Awodey's position on the board until the January meeting when Chair Nicholls is in attendance with more information.

**Board Member
Expiration / Renewal
MOTION

The term for Vice Chair Wehner expires December 31, 2011. Wehner expressed an interest in serving a second term on the board. After board discussion, **Sheean moved, Swift seconded, PASSED UNANIMOUSLY** a motion to recommend Carl Wehner to four year term on the Parks and Recreation Board, expiring December 31, 2015.

**Board Member
Application**

An application was received by Gail VanHorn to serve on the board. The board also reviewed an application that was submitted in February by Heath Meader. The board discussed both applicants and felt that

****MOTION**

VanHorn would make a nice addition and would provide some diversity to the board. **Kuhn moved, Sheean seconded, Passed Unanimously** to recommend the City Commission appoint Gail VanHorn to the Parks & Recreation Board with a term expiration of December 31, 2015.

City-wide goal setting session

Recording secretary Brooks reported there will be a City-wide goal setting session on Thursday, January 12, 2012 at 6p.m. at St. Matthews Parish Hall. All board members are encouraged to attend and encourage other members of the public to attend.

Joint Boards and Commissions meeting

The joint boards and commissions meeting is scheduled for Tuesday, February 7, 2012 at 6p.m. The board Chair or other designated person is required to attend and serve as the spokesperson. The meeting is open to the public and all board members are welcome to attend.

NEXT MEETING

The next regular meeting of the Parks and Recreation Board is scheduled for Thursday, January 5, 2012 at 6:00 p.m.

ADJOURNMENT

The December 20, 2011 meeting of the Parks and Recreation board was adjourned at 8:10 p.m.

Barb Brooks, Recording Secretary

Approved: _____

Meeting of December 19, 2011

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, December 19, 2011 at 5:00 P.M.

Call to Order

Chair Neidhamer called the meeting to order at 5:00 p.m.

Roll Call

Present: Gretchen Crum, George Ellwanger , Chris Frasz, Jane MacKenzie, John McCahan, Lori Meeder , Tom Neidhamer and Joe St. Dennis
 Absent: None
 Vacancy: One

Meeting Attendance

City Officials/Staff: Planning Director Scott McPherson, Main Street Manager Hugh Conklin and Recording Secretary Pat Haver
 Public Present: Fourteen

Consent Agenda

****MOTION**

2011-12-19-3

St. Dennis moved, Ellwanger seconded, PASSED UNANIMOUSLY a motion to approve the consent agenda. Approval of the November 21, 2011 Planning Commission minutes as presented.

Comments on Non-Agenda Items

None

Reports of Officers, Boards and Standing Committees

None

Unfinished Business

None

New Business

Eagles dumpster enclosure for Red Mesa Grill/Magnum Hospitality

Planning Director McPherson reviewed his staff report that was included in the agenda packet. The Red Mesa Grill has submitted an application to construct a dumpster enclosure which will be located in the Eagles parking lot. The Eagles have agreed to allow Red Mesa to build the enclosure and have signed off on the application. The proposed dumpster will be 17' x 20' and be located in the south east corner of the Eagles parking lot. The proposed dumpster enclosure will be a steel chain link fence with woven blue colored slats.

Mary Palmer - Owner of Red Mesa Grill. They have been in discussion with Eagles to finalize the plans to relocate their dumpster. What is currently at the Eagles now is not enclosed and they have proposed to enclose the area with a chain link fence with woven colored slats. The proposed blue color is due to the color match of their existing building; however, have a wide range of slat colors to choose from if requested.

Hugh Conklin - Main Street Manager. The Main Street Design Committee has taken the opportunity to look at the proposal. It was felt that a chain link fence would hold up to wear and tear much better than a wooden or concrete enclosure, they liked the idea of having more neutral color slats, and with the addition of sidewalks on this side of the river and more

pedestrian traffic, possibly some landscaping to soften the look.

Board discussion – The Planning Commissioners were in agreement that an enclosure is the best way to screen the dumpsters. They would like to see a more neutral/softer color in the slats. Concerns were raised about the dumpsters not being placed on a concrete slab, and the applicant indicated after speaking with the waste hauling company that to place the dumpsters partially on the asphalt and partially on gravel as is being requested by the Eagles would not be a problem, it would not sink into the asphalt during the warmer months, and could easily be kept cleaned. Concerns were raised about the recommended landscaping from the Main Street design committee, and the eventual inclusion of a sidewalk so close to the structures. If money were spent in landscaping how would it be affected by the construction of the sidewalk, would it need to be replaced, and with construction on an old road base any plantings would need to be a hardy plant.

After board discussion, **moved by Crum, seconded by Ellwanger** to approve the proposed dumpster request with a more neutral color slat that would blend in with the environment.

****MOTION**

2011-12-19-7A

Roll Call:

Ayes: Crum, Ellwanger, Frasz, MacKenzie, McCahan, Meeder, Neidhamer and St. Dennis

Nays: None

Vacancy: One

Motion Carried

Staff to work with the applicant on installation and color of slats.

Chicken Ordinance Discussion

Planning Director McPherson highlighted some of the language in the sample ordinance that was included in the agenda packet. This is just a starting point for discussion, not a final draft for consideration. This document will highlight some of the items that should be considered such as limiting the number of chickens, no roosters, type of enclosure/housing, lot line setbacks, and noise levels. As this was an informal discussion, Chair Neidhamer opened the floor to include them in the discussion. Several audience members voiced their support for an ordinance that would allow chickens within the city limits, they agreed to some sort of language that would limit the number of chickens, not allowing any roosters, type of enclosure and housing. They expressed a desire to allow them to free range, as they have a tendency to keep the bug population down. Other residents of the city expressed their desire to keep their chickens, as they did not realize that they were not suppose to raise them. Some audience participants discussed a larger problem they were having with neighbors who do not keep their yards cleaned up, and have garbage piled around, and not the few free range chickens on Cherry St. Board concerns ranged from sample language in the ordinance that was provided that was inconsistent

with our current zoning ordinance, and how noise and odor levels were to be determined. All agreed that it was a good starting point, and have asked staff to incorporate the discussed changes into the proposed document, and to make it apart of the city's zoning ordinance, so that staff has a tool for enforcement. Additional sample ordinance language will be brought back at the January meeting for further discussion.

Planning Commission Ordinance

Planning Director McPherson reviewed his staff report that was provided in the agenda packet. When the planning enabling act was adopted some changes were made to the membership requirements and the responsibilities of Planning Commissions. While the City of Boyne City does have an existing Planning Commission Ordinance, it is being recommended that a new ordinance be adopted to incorporate the changes reflected in the new act. Board discussed the sample document and had some concerns about proposed language specifying acceptable training, as that may limit educational opportunities. Language in the CIP portion would need to be corrected to reflect this Commission does an annual review and does not prepare the document. They all felt the presence of a city commissioner on the board was a good, and would like to have that element remain. Staff has been directed to revise the document and ensure that it is consistent with the current Planning Commission bylaws and return to the board for further review.

Planning Commission Candidates to fill the current board vacancy

Two candidates have submitted applications for the Planning Commission which currently has 1 opening. The application forms were provided and both candidates were at the meeting to meet with the members and answer questions. The Planning Commission will need to choose one of the applicants and make a recommendation for appointment to the City Commission. Both applicants had an opportunity to introduce themselves and answer questions from the board about their background and the reasons that they were pursuing a position on the board. Both applicants have a lot to offer the city and the members felt that either one of them would have been a good fit for the board position.

After discussion from the board and the applicants, **motion by Crum, seconded by Ellwanger** to recommend to the City Commission the appointment of Jim Kozlowski to fill the vacancy on the Planning Commission.

****MOTION**

2011-12-19-7D

Roll Call:

Ayes: Crum, Ellwanger, Frasz, MacKenzie, McCahan, and Meeder

Nays: Neidhamer and St. Dennis

Vacancy: One

Motion Carried

**Elementary School
parking lot
reconfiguration**

Planning Director McPherson reviewed his staff report that was included in the agenda packet. The Boyne City Elementary school is proposing to change the existing layout of the pick-up/drop-off area for the school. Proposed drawings showing the existing layout and proposed layout were provided. As the school is not under the jurisdiction of the zoning ordinance, the plans are being provided to the city for review and comment as a courtesy. The board felt the proposed changes would be good. At one time or another, everyone has been at the school during this chaotic time. Safety for the kids is the number one priority. The board inquired if the Police Department had reviewed the plans and were told that all of the city staff had an opportunity to review the plans and make comment.

Staff Report

- Kirtland Products have started up their operations, and unfortunately have had a lot of complaints about noise vapor and smell. The noise has exceeded the ordinance standards and they are aware of that, and are working through the process piece by piece to attempt to figure out where the noise is coming from and what combination of machinery. They want to be good stewards of the community, and are attempting to rectify the issues.
- Devlon hearing was before Judge Pajtas on December 9th. He is taking all of the factors under advisement and will render a written opinion, probably after the first of the year.
- The Northwest Michigan District Health Department recently conducted a walking tour for the "Safe school program"
- January 12th at St. Matthew parish hall will be a city wide goal setting session, beginning at 6:00 pm
- February 7th has been set for the annual Joint Boards and Commission meeting, which has been suggested to be a work session; location in the auditorium at city hall.

Good of the Order

Planning Director McPherson strongly encourage attendance at these very important community sessions and forums in January and February.

Adjournment

The next regular meeting of the Boyne City Planning Commission is scheduled for January 16, 2012.

****MOTION**

2011-12-19-10

Crum moved, St. Dennis seconded, PASSED UNANIMOUSLY a motion to adjourn the meeting at 6:40 p.m.

Pat Haver, Recording Secretary

Tom Neidhamer, Chair

MEMORANDUM**TO: MICHAEL CAIN; CITY MANAGER** **FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT** **DATE: 1/6/12****RE: NORTH BOYNE ISSUES**

As you may recall we asked the City Commission for some direction regarding the amount of materials being dropped off at our North Boyne Yard at the October 26, 2011 meeting. Copies of the information presented and an excerpt of the meeting minutes are attached for your review. Since that time I have assembled some further information I would like to bring to the Commission for further direction or their approval.

USER FEES:

I have spoken with the Emmet County Transfer Station personnel to see what they charge for drop off of Yard waste. They currently do not charge for this item to residential users; however they do charge commercial users \$2.00 per cubic yard. For brush and logs they charge \$4.00 per cubic yard to all users. I still feel we should implement a \$500.00 yearly charge to commercial users to drop off our site and allow city residents to drop off these items at no charge. As you suggested in your memorandum to the Commission a \$20.00 yearly fee for residential customers from outside the city limits could be considered also.

Like we do they also compost the yard waste and grind the brush into wood chips. They sell their composted product (black dirt) for \$20.00 per cubic yard and their wood chips for \$10.00 per cubic yard. These prices apply to residents and commercial users as well. I don't feel we generate enough of the composted material to offer it for sale on a large scale. We do utilize quite a large portion of this material for our own use; but feel we should continue to allow limited quantities to be used by city residents at no charge.

GATES:

As I mentioned previously I would like to install an automatic gate system on the fenced area that we use to store our supply inventory. We do have materials stored there that could be lost and be costly to replace. So far that has not happened to my knowledge; but with scrap metal prices being what they are now it could very well start to happen. I

previously provided some budget pricing for a gate system and have attached a copy of that information for your review also.

As mentioned in my previous memorandum I still feel we should not close the material drop off section of the yard.

COST SHARING:

A point of discussion brought up by the commission was to contact the Charlevoix County Recycling Committee to see if they would be willing to contribute to the operational costs of our facility. This was discussed at their November 16, 2011 meeting. At this time they have no interest in a cost sharing arrangement.

RECCOMENDATION:

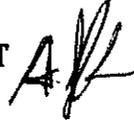
As possible solutions I offer the following recommendations:

1. Generate a letter to be mailed to all area landscape, tree removal and handyman companies advising them that as of May 1st, 2012 we will be charging a yearly fee of \$500.00 to utilize the North Boyne yard for brush, leaf and grass disposal and limit the use to materials generated inside the city limits.
2. Install signage before the entrance to the yard that better explains what is allowed to be dropped off and taken and by whom.
3. Install an electric gate system at the entrance that will limit access to the yard.
4. Close the yard entirely to outside use.
5. Any combination of the above
6. Some other remedy not suggested in this memo.

MEMORANDUM

TO: MICHAEL CAIN; CITY MANAGER

FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT



DATE: 10/19/11

RE: NORTH BOYNE YARD ISSUES

For many years the North Boyne Yard has been utilized as a depository for brush, wood chips, leaves, large logs and grass clippings; not only by our crews, but city residents and contractors as well. It is my understanding that originally contractors were allowed to use the facility for disposal of material generated in the city only. Judging by the volume of materials we are getting, I feel that currently is not always the case. I do feel that having this facility open for City residents to utilize is a good benefit for them and one we should strive to maintain.

However due to costs associated with its operation we should either deny access to commercial users or charge a yearly fee to help defray these costs. For example it cost \$7,000.00 to grind up the brush pile last year and we need to do it again soon. If we limited brush drop off to residents and our use we would probably not have to grind brush on a yearly basis.

Another item becoming an issue is the black dirt we make from the leaves and grass clippings we compost on site. It was my understanding that it was intended for our uses and that residents could get "a couple" of 5 gallon pails to use for flower planting. However it seems that some take it by the truckload or in some cases multiple truck loads. I stopped a gentleman last summer that had a tractor and loader bucket loading a small dump truck. The crew has also stopped landscape contractors taking large amounts on occasion. Again we spend \$8,000.00 to \$9,000.00 yearly, including our labor and equipment costs, making this black dirt.

In the past we have tried closing the entrance to the yard at the end of the day to limit excess dumping of and procuring of materials from the yard. In talking with the crew this caused a pile of material to be left outside the gate and was discontinued after 2 weeks. It also limited the resident's ability to use the facility to our normal business hours generating some complaints.

As possible solutions I offer the following recommendations:

1. Generate a letter to be mailed to all area landscape, tree removal and handyman companies advising them that as of April 1st, 2012 we will be charging a yearly

fee of \$500.00 to utilize the North Boyne yard for brush, leaf and grass disposal and limit the use to materials generated inside the city limits.

2. Install signage before the entrance to the yard that better explains what is allowed to be dropped off and taken and by whom.
3. Install an electric gate system at the entrance that will limit access to the yard. Some of the units offer programming to open and close the gates at times entered into them. Attached to this memorandum you will find budget pricing for a cantilever gate and operator.
4. Close the yard entirely to outside use.
5. Any combination of the above
6. Some other remedy not suggested in this memo.



Agenda Item 9B

Date: October 21, 2011
To: Mayor Vondra and the Boyne City City Commission
From: Michael Cain, City Manager *Mc*
Subject: North Boyne Yard Issues

Attached please find a memo from Andy Kovolski regarding the North Boyne Yard. As noted in his memo the yard is a great asset for our community, but it being used much beyond that. We are looking for a method to keep it available for our residents and property owners at times that are convenient to them (24/7) and at no additional charges. For people and firms outside our community it is a great resource as well, but one which we probably need to do a better job of regulating and sharing the costs for.

In Andy's memo are some ideas that the City Commission may wish to consider. With the proper combination of regulation, signage (publicity), and enforcement I believe we can continue this asset to our community, and possibly beyond, without it becoming an undue liability.

In keeping the composting/yard waste area generally open to the public we need a more effective method of controlling our fenced in yard area which contains valuable equipment and materials, in addition to our surplus storage. The idea is to install an electric sliding gate similar to that at the wastewater treatment facility. That would allow us to secure the site much more regularly and conveniently than the current manual system.

I could see the yard operating this way. City residents could use the site for their own normal household yard waste drop off and pick-ups at their convenience. Commercial institutions could use the site on the payment of a fee established by the commission, unless they are under contract with the City. We may wish to consider having different fees for businesses in or out of the City. We could also consider allowing people with household needs that live outside the City to use the site for a fee less than that of the Commercial users, like \$20 a year. Much less than that doesn't cover the cost of the paperwork that would be involved, let alone maintaining the site.

City Personnel (DPW and Police) would monitor the site on an irregular basis (no one would be stationed there) and any non-residents or Commercial users who had not paid the fee found using the site would have to pay the required fee, plus a penalty.

The purpose today is to bring this matter before the Commission and get some direction on how you would like staff to proceed on this matter, if at all.

RECOMMENDATION: That the City Commission considers this matter and provide appropriate direction to staff.

Options:

- a) Postpone the discussion/decision for further information
- b) Direct staff to prepare for implementation as generally outlined above, or revised
- c) Other action as determined by the City Commission.

PROPOSAL

HARBOR FENCE COMPANY

2009 U.S. 31 North ♦ Petoskey, MI 49770
 (231)348-5566 ♦ Fax (231) 348-5032 ♦ 800-968-3362
 Kent C. Warner

Proposal submitted to: CITY OF BOYNE CITY (Gate Operator Only)

Address: 319 North Lake Street – Boyne City, Michigan 49706

County & Twp. Emmet Crossroads Sides Flagged N S E W

Date: 10/17/2011 Phone: (231) 675-3212 Email: maintenance@boynecity.com

Specifications for the professional installation of one Linear slide gate operator with components. NOTE: This proposal does not include the supply of running or hook up of the required high voltage wiring, a licensed electrician must be provided by the general contractor or the property owner.

(1) SLD-211 – 1/2HP – 115 V Single Phase Chain Drive Slide Gate Operator: Features, Apex Controller, Full Transformer Run DC Power Operator With Built In Battery Back Up, Continuous Duty, Gear Reducer, Chain Drive:.....	\$2,498.00
(2) Three Safety Loops (Shadow,Exit,Reversing) W/Detectors:.....	\$1,134.00
(3) 480 Code Digital Key Pad (Not A Phone Entry System:.....	\$400.00
(4) Hand Held Transmitters: \$35.00 each.....	\$35.00each
(5) Post Mount Kit For Operator:.....	\$360.00
(6) Photo Eye Laser With Reflector:.....	\$170.00
(7) Safety Edge For Slide Gate:.....	\$350.00
Labor To Install All As Listed Above:.....	<u>\$1,500.00</u>
Total:.....	\$6,527.00

Terms: 50% Upon Acceptance With The Balance Due Upon Installation.

Home Owner Is Responsible For All Local & County Permits Required.
 Home Owner Is Also Responsible For Any Needed Variance's.
 No returns on vinyl products and special orders.

Shipping and handling fee & 25% restocking fee apply to all other items.

Authorized
 Signature _____

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance.

Note: A 50 % deposit of total is required upon acceptance, also this proposal may be withdrawn by us if not accepted within 7 days.

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

Owner is responsible for property lines, Miss Dig, and All buried improvements. (Example – gas lines, high voltage, telephone, cable, irrigation) The Customer Is Also Responsible For Any Approvals Or Permissions By Any Local Government Or Associations, Boards Or Community Bylaws. No Refunds.

Date of Acceptance _____

Signature _____

Payment to be made as follows: **Balance due upon installation.**
 Late charge of 1.8% interest from the date of completion.

PROPOSAL
HARBOR FENCE COMPANY

2009 U.S. 31 North ♦ Petoskey, MI 49770
(231)348-5566 ♦ Fax (231) 348-5032 ♦ 800-968-3362
Kent C. Warner

Proposal submitted to: CITY OF BOYNE CITY (Gate Only)

Address: 319 North Lake Street – Boyne City, Michigan 49706

County & Twp. Emmet Crossroads Sides Flagged N S E W

Date: 10/17/2011 Phone: (231) 675-3212 Email: maintenance@boynecity.com

Specifications for the professional installation of one custom welded cantilever slide gate made to fit a (14'.0) opening.

(1) – 14' Wide x 72" Tall Custom Welded Cantilever Slide Gate With Chain Link, (4) – 4" Page Type Rollers, (2) 4" x 9' x SCH40 Gate Posts.

Total Price For All As Listed Above Professionally Installed:.....\$2,487.00

Terms: 50% Upon Acceptance With The Balance Due Upon Installation.

Home Owner Is Responsible For All Local & County Permits Required.
Home Owner Is Also Responsible For Any Needed Variance's.
No returns on vinyl products and special orders.

Shipping and handling fee & 25% restocking fee apply to all other items.

Authorized _____
Signature _____

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance.

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Date of Acceptance _____

Signature _____

Payment to be made as follows: **Balance due upon installation.**
Late charge of 1.8% interest from the date of completion.

City Manager Cain reported:

- Final raking and hydro seeding is taking place on Charlevoix Street today
- Several private construction projects are continuing
- The DIG grant was submitted last Wednesday.
- Coopers has closed for the season and will reopen next Spring
- Our front office copier is failing and staff is looking at options to replace it.
- Jeff Gettel's last day was yesterday.
- The Farmers Market is moving to the red building next to the library beginning November 5.
- Leaf pickup is continuing until November 11
- At 2 pm on Wednesday, November 9, 2011 there will be a nationwide test on an alert system.

CITY MANAGERS REPORT

The September Financial Statement was received and filed

Presentation of proceeds from 2011 Boyne Thunder in the amount of \$32,243.00 from Mayor Vondra to Eleanor West of Camp Quality. Expenses were approximately \$58,000, with the majority of those funds being spent locally.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Boyne Thunder / Camp Quality Check Presentation

Eleanor West of Camp Quality discussed the success of the event once again this year and thanked Boyne City for the participation in the event. It is a major fundraiser for Camp Quality. Mayor Vondra and all of the Commissioners stated the City is happy to participate in this event and do something good.

Consideration of matters regarding the North Boyne Yard and provide appropriate direction to staff.

North Boyne Yard Issues

Public Works Superintendent Andy Kovolski discussed the North Boyne Yard that has been utilized as a depository for brush, wood chips, leaves, large logs and grass clippings, not only by our crews but city residents and contractors as well. Due to costs associated with the operation of the yard, should we either deny access to commercial users or charge an annual fee to defray the costs. It cost \$7,000 to grind up the brush pile last year, and much of the materials are not generated in the City. If brush drop off was limited to residents only, we may not have to grind brush on a yearly basis. There are several possible solutions to the issues with the North Boyne Yard.

City Manager Cain added that we are looking for a method to keep it available for our residents and property owners at times that are convenient and at no additional charges. While keeping the composting yard waste area generally open to the public, we need a more effective method of controlling our fenced in yard area which contains valuable equipment and materials, in addition to our surplus storage. If a sliding gate was installed, it would allow us to secure the site much more regularly than the current manual system.

Staff Comments: None

Citizens Comments: None

Board Deliberation. Commissioner Sansom said she has not arrived at

any one recommendation. Mayor Pro Tem Grunch said it has now become a financial issue to maintain. Commissioner Town said we should charge contractors to use it. Mayor Vondra said we should keep the yard open to residents and citizens and we should contact the Charlevoix County Recycling Committee to help pay to do this. We are all paying a recycling millage and should at least discuss this with the Committee. The only other fair ways would be to use a camera. Keep it uncomplicated. Mayor Vondra added he is in favor of gating the expensive materials area.

**Citizen Comment
Regarding New Sidewalk
Construction On Vogel
Street**

Joan Stevens, Vogel Street said she is the only resident beside the Brook Development. The Brook is paying to install 600 feet of sidewalk on the north side of Vogel Street and she is asking the City to consider that this sidewalk be installed on the south side of Vogel Street instead, stating that it would better serve the public. City Manager Cain said this would all come back to the City Commission.

Facilities Recommendation

Consideration to authorize staff to 1) obtain quotes for soil boring services and proceed with the effective bidder, cost and timeliness qualifications considered for an amount not to exceed \$3,000; 2) Schedule a public hearing on this topic to take place at the first possible opportunity after positive soil boring results are obtained and 3) go out for bid for professional services to develop design and cost estimates as outlined above.

City Manager Cain presented his facilities recommendation. Based on information gathered, he expressed that he is convinced that we can take care of most of our needs here on our existing site in a way that will work well for our community. After visiting and obtaining plans and photos of the Charlevoix and East Jordan fire and ambulance facilities, he feels we are using our existing facilities to their maximum capacity. We have creatively fit our very valuable equipment into some very tight spaces and there is no practical way to fit much of anything more into these facilities, including our EMS Department into these current facilities.

City Manager Cain displayed maps with an area proposed to be added immediately west of City Hall and North of the DPW/Fire building. This area could provide drive thru access for Fire and Ambulance vehicles. Viewshed requirements and images were discussed. Expanding and reusing our existing facilities could be done in phases as funds and priorities allow. Our existing facilities are sound and can be made much more efficient from a visitors and employees standpoint and also from an energy consumption standpoint. There may be some alternate energy source opportunities as well. Once a plan is developed that meets the communities needs, we can look at up grades and improvements that make these facilities more viable and cost effective now and in the future.

Staff Comments: Chief Howard said the City Manager's plans are most practical. EMS Director John LaMont agrees.

Citizens Comments: Derek Gaylord, Commissioner Candidate said we should look at our known quantities, staffing, square footage, then get into the design and phasing plan.

Board Deliberation: Mayor Pro Tem Grunch said with the present economic uncertainty, it is not feasible to move facilities. Times have

CHARLEVOIX COUNTY RECYCLING COMMITTEE

Meeting minutes of November 16, 2011 @ 10:00 a.m.

Present: Bob Anderson, Robin Hissong-Berry, Michelle Rick-Biddick, Nancy Ferguson, Diane Gustin, Mike Heaton, Michele Hewitt, Larry Levensgood, Kelly Martin, Shirley Roloff, Frank Shaler, Shirlene Tripp. **Absent:** Tim Myers.
Also present: Ethel Knepp, Hayes Twp., Laurie Leaman. St. Mary's, Elisa Seltzer, Emmet DPW

1. Call to order: Hewitt called the meeting to order at 10:02 a.m. at the Melrose Township Hall, Walloon Lake, MI.
2. Roll call: Martin took attendance. Myers unable to attend from Beaver Island due to switch-out at the transfer station.
3. Minutes for October 19, 2011: MOTION by Tripp and supported by Roloff to approve the minutes as printed.
PASSED.
4. Treasurer's report: Shaler handed out a list of invoices for payment & financial reports from the Clerk's office. He noted Sky Electric will be switching out the motor on the BC compactor soon, and presented additional invoices just received, for payment. He also pointed out contracts approved by resolution don't need further approval to pay invoices before the end of the month. Traffic signs were ordered for the Charlevoix site & paid with the county credit card in the amount of \$171.74, total invoices presented for payment \$51,585.43. MOTION by Martin and supported by Roloff to approve paying the invoices as presented. PASSED.
5. Site Reports:
 - Charlevoix – Ferguson on duty, site is fine and checked twice a day by volunteers from WATCH. She noted her editorial was in the newspaper, Shaler stated he'd heard comments about it already. Tripp mentioned speaking with a businessman at the Equalization Dept. who was told businesses couldn't use the cardboard recycling bins. Discussion followed on the subject. Consensus for the need to publicize when the cardboard compactors are up & running for businesses to use.
 - Boyne City – Martin on duty, site is fine & was recently cleaned up by the jail inmates (7 bags of garbage collected). Their assistance was very much appreciated.
 - East Jordan – Anderson reported a recent visit by OSHA at the Transfer Station which now has a porta-potty on site.
 - Boyne Valley – Heaton stated Boyne Mountain is no longer bringing their cardboard to the recycling site, volume down! He noted the repaired bin still hasn't been painted. Martin reported she'd spoken to American Waste before the meeting & they will be picking it up next, promise!!
 - Melrose – Berry stated that their bins had been moved & placed further apart so they can snow plow between them.
 - Beaver Island – Ferguson reported for Myers who was busy on the Island, jamming to get the final loads off before winter.
6. Reports: Chair report- Hewitt stated she'd met with Shaler & Martin and they went over all the Beaver Island figures. She also put together a Request For Proposals (RFP) for hauling recyclables off the island, which Cherie Browe looked over & said looked good. Biddick suggested eliminating the word (boat) and just using water vessel explaining why. Discussion followed with consensus to remove the word boat. Hewitt also presented & explained why a new Bill of Lading form was created and will be used for better checks & balances.
Dept. Head report- Shaler congratulated Elisa Seltzer for her most recent award recognition! He reported another incident at the office paper bin in the county parking lot, a fire was built behind the bin & graffiti spray painted on the cement walls & bin. The relocation of the Charlevoix site is going well, but the asphalt won't get done this year. The compactors have been spray painted by the trustees and set in place by the road commission. A portion of the wall & cement were removed in BC for the compactor, he expects it to be up & running for less than \$2000. Realistically, we need to think about a part-time person to educate recyclers and operate the compactor. Discussion followed. Tripp stated the neighbors are upset and have been complaining, because we didn't let them know what was going to happen. Hewitt and Shaler have been contacted by neighbors as well. Roloff stated she had spoken with a few neighbors who had suggested posting hours of operation. Levensgood added more historical information regarding that neighborhood, discussion followed on their complaints and how to handle them. Seltzer added, they have experienced similar problems with their Glen's north site which has the heaviest use and the efforts they've made to keep the

neighbors happy. Levensgood noted that maybe the improvements made to fix the drainage problem Grant Street has always had will help.

7. Old Business: Ethel Knepp, Hayes Township asked about the LTBB grant application. Martin reported they were NOT successful and the grant was not awarded. At this time they don't know if another grant application will be submitted.

Recycling Surveys: Martin stated 435 surveys were included in the Conservation District's annual report mailed October 25th. To date 40 responses have been received and entered into the on-line survey database. Martin checked the responses prior to the committee meeting, 127 on-line surveys have been submitted already and they haven't gone out in the newspapers yet! Points North printing should have them finished next week and Martin will deliver them to the PNR as soon as possible.

Committee ByLaws: have been approved by the Board of Commissioners as written, 7 voting members (not including Tripp & Shaler). Letters of interest to be appointed to the recycling committee are to be submitted to the County Clerk by November 30th. Ferguson reported on attending the Commissioners meeting October 26th and wanted to play an audio of the meeting, however a computer wasn't available. She explained how historically there have been 12 active & involved members and pointed out how much has been done for FREE, adding how members would rather have a vote than receive a per diem. Reinhardt supported 12 members & no per diem. Shaler was asked for his opinion, stating 12 would be great with only the top four officers eligible for per diem. However, there was a lack of support for more than 7 voting members. Seltzer suggested the group follow a "consensus model", where everyone participates and are recognized as equals (whether they can vote or not). Discussion followed. Everyone was reminded that the MISSION is still about RECYCLING. Berry stated she doesn't feel the bylaws provide good enough representation of or for the townships. Discussion followed. Hewitt encouraged everyone to submit a letter of interest to remain on the committee.

Cost to purchase truck: Shaler reported talking to the folks in Cheboygan County who just bought a truck for \$109,000. Discussion followed. Food for thought, discussion can continue during the strategic planning process. Shaler also mentioned the Personnel Committee was meeting today & he'd asked the Commissioners what happens now after the 6-month probationary period is over?

Gift: Months ago Susan Vrondran purchased a gift for Roloff to thank her for all the hard work she'd put into the recycling program over the years. Committee members wanting to contribute to the gift can give money to Ferguson, who will get it to Vrondran. Hewitt presented the gift to Roloff before she left the meeting early.

Home Show: Berry stated reduced rates have been established for groups such as recycling, \$100 for an 8' x 10' space. The event will take place on Friday & Saturday this year, not Sunday. MOTION by Biddick and supported by Ferguson to have a separate booth right next to Emmet's. PASSED. Tripp strongly encouraged giving some nice stuff away, like Emmet did last year. Discussion followed on ways to get better visibility for the Charlevoix County recycling program. A table & chairs will be needed, table skirt provided. More ideas & staffing the booth will be discussed at the next meeting.

Beaver Island cost figures: Martin read through the yearly totals from 2006 - 2011 based on the information available. It's a work in progress.

8. New Business: Shaler informed the committee Undersheriff Chuck Vondra has requested the recycling program purchase the Sheriff's Department a snow plow for their pickup truck. The Sheriff's Department does a lot to help & support the recycling program, and they ruined a walk-behind snow blower last year hitting tin cans frozen to the ground. Discussion followed. MOTION by Martin and supported by Ferguson to spend \$3835 on a snow plow as requested. PASSED.

HHHW 2012: Martin contacted Drug & Lab and scheduled the JUNE 9th and SEPTEMBER 8th events. Next she'll contact 5R's Processing to arrange the electronics collections for the same dates.

Boyer City Mayor: is interested in working with the recycling program on composting. Discussion followed. Hewitt discussed the subject with the City Manager and encouraged him to tour the Emmet facility and their composting program. Consensus of the committee, years ago recycling paid for screening the compost piles in each city at which time they were informed it was a "one time deal" and there's no interest in doing it again.

9. Roundtable: Shaler suggested for future consideration, putting a cement pad under the recycling bins at the Boyne Valley Township site. Heaton explained the Village actually owns the property, the Township only uses it for the transfer station. Biddick reported meeting with the Charlevoix Area Hospital wellness committee about recycling. Martin noted they called her about using 2 blue barrels. Biddick will follow-up with a listen & learn lunchtime program for the board of directors and hospital staff. Leaman reported St. Mary's will be shut down from December through April due to the economy & cement business suffering.
10. Adjourn: There being no further business, the meeting adjourned at 12:00 p.m.

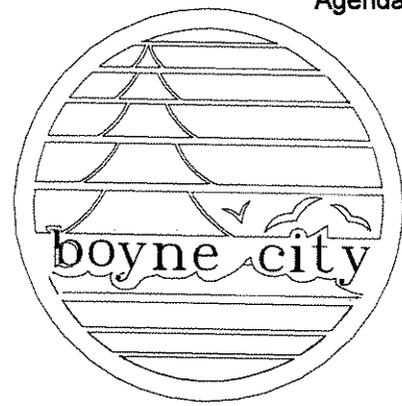
These minutes stand to be approved at the next regular meeting.

TO DO LIST

- SHALER Publicize when compactors are up & running
 Paint over graffiti on cement wall & office paper bin
 Dept. Head position – following 6 month probationary period
 Inform Sheriff's Dept. of snow plow approval
- HEWITT Remove word (boat) from RFP document
- BIDDICK Listen & Learn Luncheon at Charlevoix Area Hospital
 Update This Business Recycles letter
- MARTIN Deliver recycling surveys to PNR when ready & available
 Continue working on Beaver Island cost figures
- MEMBERS Submit letters of interest to be on Recycling Committee
 Continue working on Home Show recycling exhibit

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
From: Scott McPherson, Planning Director *SM*
Date: January 10, 2012
Subject: Kirtland Products Status

**Background**

Since the start up of the wood pellet manufacturing operation at Kirtland Products there have been many complaints. While most of the complaints have been noise related, there have also been complaints in regards to odor and dust. The noise created by the plant exceeds acceptable levels and is in violation of the Boyne City Zoning Ordinance Performance Standards section 21.78 which are as follows:

Section 21.78 Performance Standards.

Any use permitted by this Ordinance is subject to compliance with the performance standards set forth in this Section. No use hereafter established shall exceed the limits set forth in this Section, except as provided in this Ordinance.

- A. *Noise, dust, soot, dirt, fly ash, products of wind erosion, smoke, and vibration emitted shall comply with the City's nuisance ordinance.*
- B. *Odor. The emission of noxious, odorous matter in such quantities as to be readily detectable at a point along any property line, when diluted in the ratio of one (1) volume of odorous air to four (4) or more volumes of clean air, so as to produce a public nuisance or hazard beyond lot lines, is prohibited.*
- I. *Drifting and Air-Borne Matter. The drifting or air-borne transmission beyond the lot line of dust, particles or debris from any open stockpile is unlawful and shall be summarily caused to be abated.*

While the City does not have a free standing nuisance ordinance as referred to in section 21.78(A), the creation of objectionable noise, dust and odor is defined as a nuisance in the Zoning Ordinance and the noise created by the Kirtland Products is in violation of the noise ordinance which states in part:

- (a) *It shall be unlawful for any person, firm, corporation or entity to make, assist in creating, continue, or cause to be made or continued, any loud, unnecessary or unusual noise tending to unreasonably disturb the peace and quiet of persons in the vicinity thereof, or any noise which either unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the city, including, but not limited to, the noises enumerated in this section.*

(2) Motors. The use and/or operation of a motor, blower, power fan, dryer or similar mechanism that creates or emits an unreasonable sound from any point at least 50 feet beyond the property boundary of such use and/or operation is unlawful

Discussion

It is clear the current operation of the plant is in violation of ordinance standards and representatives from Kirtland products have been notified about these issues. To their credit Kirtland Products have acknowledged the issues and appears they are working towards solutions, however, the impact on surrounding residences is ongoing and unacceptable and the issues need to be remedied as soon as possible.

Options

Obviously the preferred solution is for Kirtland Products to take quick actions and implement solutions on their own that bring the plant into compliance with performance standards of the Ordinance. However, if they continue to operate the plant in violation of the Ordinance the City does have legal remedies available. Violations of the Ordinance are deemed a nuisance per se and subject to municipal civil infractions or the City may bring action for an injunction or other processes to prevent or abate further violations of the Ordinance.



Date: January 6, 2012

To: Mayor Grunch and the Boyne City City Commission

From: Michael Cain, City Manager *Mc*

Subject: Priority Health Insurance HSA 2012 Funding Levels

As part of our collective bargaining process two years ago significant changes were made to the health care coverage we provide our full time employees. Our existing Blue Cross PPO program was being replaced by a higher deductible Blue Cross program administered by a company called MEBS and “wrapped” (self insured) to function much more like the plan it replaced, but promising lower costs.

As we were working on the implementation of the MEBS program we asked our representative from Korthase-Flinn if it was possible that the City’s non-union employees could look at other health insurance providers. We were told yes, as a group. This was not something we could do at all under our old Blue Cross coverage. Under Blue Cross, all employees who had health insurance through the City had to be under a plan from them.

During our earlier negotiations we spent a lot of time looking at different health insurance options, something we are currently doing again. We asked Korthase-Flinn to come up with the best value option, for both the City and the employees. They recommended a Priority Health Health Saving Account (HSA) plan. That plan appeared to the City’s bargaining team to have the greatest potential for savings to the City while offering some real advantages to the employee such as the establishment of an HSA that is the employee’s to keep and use for medical expenses. Although that plan was not agreeable to the collective bargaining units a number of the non-union employees thought it was worth investigating further and after City Commission approval in February 2010 our covered non-union employees switched to Priority Health that April.

The Priority Health HSA program we switched to almost two years ago now is very similar to that being implemented for Charlevoix County, but through Blue Cross and Blue Shield (BC/BS). According to Korthase Flynn our current provider is more cost effective for us than switching to another, such as BC/BS.

We are currently in our annual renewal period. The amounts of increases we have received from Priority Health for the coming year are in the 25% range while those from MEBS are in the 15% range. This compares with the increases we received last year from Priority Health which were in the 15% range while those from MEBS were in the 39% range. For either program the City picks up the first 5% of any increase, the employee the next 5% with anything above that split evenly between the parties.

Aside from the rate increases the employees seem generally satisfied with the coverages and services by these providers.

As part of the renewal process we need to let our Priority Health covered employees know how much, if any, funding the City will provide to their Health Savings Accounts (HSA). The first year we were in the program we agreed to provide \$2,000 for each single covered employee and \$4,000 per couple or family. These levels fully funded the deductible amount under the HSA plan, although the City could have contributed more. This past year the City agreed to provide \$1,750 for each single covered employee and \$3,500 per couple or family.

These funds were front loaded at the beginning of each program year in case an employee had a health issue at the beginning of the year. If an employee chose to leave the City's employment, for reasons other than retirement, they would be responsible for returning an amount equivalent to a prorated portion of the amount placed in their HSA account out of their final wage and benefit payments.

The intent of the above was to help the employees using an HSA to hopefully establish a fund they could use from year to year. Some employees, like me, have added additional pre-tax money to these accounts to cover other qualifying medical expenses. The amount the City would contribute to that fund would be revisited or an annual or some other agreed upon timeframe.

The past and proposed monthly rates of the Blue Cross, MEBS and Priority programs as follows:

	Blue Cross 5/1/09 rates	MEBS*			Priority Health HSA**		
		2010	2011	2012	2010	2011	2012
Single	\$ 521	\$ 395	\$ 528	\$ 598	\$ 467	\$ 511	\$ 559
Two Person	\$1,172	\$1,020	\$1,232	\$1,401	\$ 994	\$1,091	\$1,234
Family	\$1,407	\$1,231	\$1,534	\$1,745	\$1,159	\$1,280	\$1,470
Family Continuation	\$ 261	\$ 245	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

NOTES:

* = estimated total based on estimated usage, actual could be higher or lower

**= includes proposed City HSA contributions

The City currently has 8 non-union employees, including myself, who are covered under the Priority Health program. We also have one additional person, a retiree, who remains under this program, but he would not be eligible to receive any further City contributions such as the one being discussed today.

Unfortunately, the cost of Health Insurance continues to greatly outpace the rate of inflation and new revenues to the City. The City has been working with employees to continue to provide quality and affordable Health Insurance, while also increasing employee involvement and cost sharing in managing the health care needs of themselves and any covered family members. As such, and given that non-union employees received no wage increase this past year, I would suggest that for the coming coverage year the City continue to fund participating non-union employees in the Priority Health program at a level of \$1,750 for singles and \$3,500 for couples and families. These funds would again be frontloaded to cover any cost that might arise at the beginning of the year, with the understanding that any employee who chose to leave the City's employment, for reasons other than retirement, they would be responsible for returning an amount equivalent to a prorated portion of the amount placed in their HSA account out of their final wage and benefit payments.

To the extent the City Commission feels this matter could have a bearing on our current collective bargaining agreement negotiations, this matter could be discussed in closed session.

RECOMMENDATION: That the City Commission approve funding HSA's for employees participating in the City's Priority Health HSA plan for 2012 at the current \$1,750 and \$3,500 levels as outlined above.

Options:

-Fund HSA's at the higher 2010 levels.

-Fund the HSA's at reduced levels such as \$1,500 per individual or \$3,000 per couple or family.

-Fund at another level determined by the City Commission.

-Don't fund HSA's at all.

-Other option, as determined by the City Commission.



Date: January 6, 2012

To: Michael Cain, City Manager
 City Commissioners

From: Hugh Conklin, Program Manager

Re: Boyne Thunder 2012

The Boyne Thunder Poker Run returns to Boyne City the weekend of July 13-14. The event begins Friday, July 13, with a late-afternoon reception, an auction, and boat and car show downtown during Stroll the Streets. Highlighting Saturday's events is the Poker Run. Other activities include the Lake Charlevoix Cruise and a reception and dinner Saturday evening.

The Boyne Thunder Committee is under the direction of the Main Street Board. In addition to representatives of Main Street, members of the Boyne Thunder committee are Angela Behling, Bob Alger, Karen Sherwood, Ward Collins, Pat O'Brien, Greta Zumbaugh, Peter Oppermann, Bob Mathers, Tracy Nemecek, Jeff Wellman, Rachel Swiss, and Eleanor West, executive director of Camp Quality.

The Boyne Thunder committee is seeking the following from the City Commission:

- The support and endorsement of the event by the City Commission;
- Approval of July 11 through July 15 for the event. The actual dates for the event are July 13-14, however, extra days on each end of the event will provide flexibility to the committee in case they add a special feature to the overall event plus provide time for set-up and clean-up;
- Support Main Street's application to the Liquor Control Commission for a Special License for the sale of beer, wine and spirits for the consumption on the premises to be in effect on July 13 and 14, 2012.
- Approval for City staff to work with the Boyne Thunder committee on needs and issues that may arise as event plans move forward. An event of this size requires a high degree of coordination with the City on a wide variety of issues including the use of the public marina and staff, boat launch, pavilion usage, park layout and set-up, and signage permits.

In its eight years, Boyne Thunder has been a successful event for Camp Quality and the community of Boyne City. The event has raised more than \$220,000 for Camp Quality and more than \$70,000 for the Main Street Program. Without the support of the City Commission, City Staff, volunteers, and the community at large, this event would not be possible.

Recommendation: The City Commission support and endorse the 2012 Boyne Thunder event to be held July 11-15, 2012; support the application to the Liquor Control Commission for a special license for the sale of beer, wine and spirits on the premises; and authorize City staff to work with the Boyne Thunder committee on needs and issues that may arise as event plans move forward.

January 2012

January 2012							February 2012						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	5	6	7	8	9	10	11
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	16	17	18	19	20	21	22
22	23	24	25	26	27	28	23	24	25	26	27	28	29
29	30	31					28	29	30	31			

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					January 1, 2012 City Offices Closed New Years Day
2 City offices closed	3 5:00pm ZBA	4	5 8:30am Main Street Board mtg. 6:00pm Parks & Rec	6	7
9	10 7:00pm City Commission	11	12 6:00pm City-wide Goal Setting	13	14
16 Martin Luther King Day (United States) 12:00pm EDC/LDFA 5:00pm Planning Commission	17	18	19 5:00pm Chamber Annual Mtg. (Boyer Mt.)	20	21
23	24 12:00pm City Commission	25	26 5:30pm Airport Advisory Board 6:30pm Housing Commission	27	28
30	31				29

February 2012

February 2012							March 2012						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
5	6	7	8	9	10	11	4	5	6	7	8	9	10
12	13	14	15	16	17	18	11	12	13	14	15	16	17
19	20	21	22	23	24	25	18	19	20	21	22	23	24
26	27	28	29				25	26	27	28	29	30	31

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		February 1			
			8:30am Main Street Board mtg. 6:00pm Parks & Rec		Winter Fest
6	5:00pm ZBA 6:00pm Joint Boards/Commissions	8	9	10	
			Choc. Covered Boyne		
13	Valentine's Day (United States) Winter Tax Due Date 7:00pm City Commission	14	15	16	
			Business After Hours		
20	President's Day (United States) 5:00pm Planning Commission 7:00pm Historic District	21	22	23	24
			5:30pm Airport Advisory Board 6:30pm Housing Commission		Paint the Town Red-Boyne Boost
27	2:00pm Set up for election Michigan Presidential Primary Elec	28	29		