

**Peninsula Township Town Board  
Township Hall  
Special Meeting  
January 31, 2017 – 9 am**

**Present: Isaiah Wunsch, Margaret Achorn, Joanne Westphal, Rob Manigold, Maura Sanders, Brad Bickle, Warren Wahl (late)**

Meeting called to order at 9 am by **Manigold**.

**Approve Agenda**

**Motion by Sanders / Wunsch to approve agenda. Motion passed unanimously.**

**Citizen Comments (items not on agenda)**

none

**Conflict of Interest**

none

**Business**

*Open Session*

**a. Approve minutes of Town Board meeting, January 10, 2017.** Westphal addressed failure to have the minutes of this meeting in the Town Board packet for the January 24, 2017 meeting, and requested the Town Board approve the minutes at this meeting. She stated that a delay in the minutes was due to two circumstances—a new recording secretary and numerous grammatical errors that should have been corrected before submittal. Failure to edit the minutes when they were finally submitted, resulted in them not being in the packet. Attorney Graham asked if the errors were corrected, and Westphal stated not yet. He submitted that it was important to have minutes corrected and posted within 8 days of a meeting. He suggested that minutes can be edited if a “strikethrough” is placed over an error, with correction following. Westphal said she was unsure how many strikethroughs were appropriate in a document of this nature. On the advice of the attorney, it was decided to table the minutes, and bring them back for approval with any corrections relating to major content, at the Feb. 14 meeting.

**b. Resolution 2017-01-24#5.** This resolution was tabled at the January 24, 2017, meeting because it was submitted late and several members of the Town Board did not have enough time to study it. It was moved by Wunsch and seconded by Bickle to untable the resolution.

**Unanimous support 6-0.** This resolution addresses the alternative to a Health Savings Account (HAS) which staff currently receive as a part of their employment package. However, three staff (Achorn, Westphal, and Manigold) are ineligible for an HSA account because they receive Social Security benefits. A Health Reimbursement Account is allowed by the IRS for retirees who are ineligible for an HSA. This resolution would cover board members/staff who come out of retirement to serve the township. Achorn moved to support the motion; Bickle seconded.

**Unanimous support 6-0.**

**c. Open Meetings Act (OMA) presentation by Attorney Graham.** Graham began by referring Board members to attorney General Bill Schuette’s Open Meetings Act Handbook which was part of the packet, and stressed the importance to the OMA to the democratic process. He went through the most important definitions found in the Act, and advised what made them unique and essential to conducting governmental decision making. He talked about the Public Meeting Notice Requirements, stressing the importance of posting locations and meeting notice deadlines under various circumstances. A review of various chapters in Act 267 of the 1976 Open Meetings Act (Michigan Compiled Laws Service or MCLS) followed, touching upon the definition of a

“meeting”, as a public body with a quorum present, gathered for the purpose of deliberating toward, or rendering a decision on, a public policy. He went on to define public bodies when the OMA does not apply (see MCLs Chapter 15, Act 267, page 4). He reviewed permissible times when closed sessions could be held. Minutes of the meetings must be available in draft form 8 days after a meeting; approved minutes must be available for public inspection within 5 business days after approval. He discussed the requirements of “special meetings”, including the 18 hours minimum prior notice of meeting to board members and the public (MCLS 41.72a). Lastly, he referred the Board to the “Peninsula Township Board Rules of Procedure” that outlines accepted practices relating to the scheduling of different types of meetings, public notice requirements, order of business in meetings, recording meetings, conflicts of interest, etc.

At the close of Attorney Graham’s overview of the Open Meetings Act, it moved by Sanders/Wunsch to go into Closed Session. No discussion. **Unanimous support 6-0.**  
Time: approximately 10:45 am. Wahl arrives for closed session.

*Closed Session*

**d. Attorney’s discussion of the status of legal suits.**

The closed session was reopened to the public at approximately 11:45 am.

**Citizen Comments**

None.

**Board Comments**

Manigold announced that the township attorney advised that the union contract is near completion. He met with Traverse City Fire Chief last week and he reported that relations with the city are good. He also thought that the Township should begin preparing to advertise for a Fire Chief.

**Adjournment**

**Motion by Wunsch/Bickle. Unanimous vote 7-0.** Adjourned approximately 11:55 am.