

Special Meeting of the Town Board
Peninsula Town Hall Conference Room
Wednesday, April 19, 2017, 1:00 pm
Minutes

CALL TO ORDER: by Rob Manigold

PLEDGE

ROLL CALL: Present-Achorn, Sanders, Bickle, Wahl, Westphal, Wunsch, Manigold

Absent-None

PUBLIC COMMENTS: None

APPROVE AGENDA: The motion was made by Sanders, and seconded by Wunsch to approve the agenda. UNANIMOUS CONSENT

BUSINESS

1. Resolution supporting the new school (Wunsch). A resolution was presented by Wunsch in support of Old Mission Peninsula Community School. It stated that the Peninsula Township Board supports the goals and efforts of the Old Mission Peninsula Education Foundation and its pursuit of a charter from a public charter school authorizer. The resolution was offered by Wahl and supported by Sander. A roll call vote followed. UNANIMOUS CONSENT.

2. Resolution for Zoning Code Enforcement Officer (Planner). Brian VanDenBrand presented a resolution to appoint a part-time Code Enforcement Officer, based on a number of calls and expressed concerns regarding the poor enforcement of codes and ordinances. The Code Enforcement Officer would be supervised by the Director of Planning and Zoning, and his/her designee, as outlined in the job description for the Officer. This description was provided in an attachment, entitled "Exhibit A". Brian explained that the position would be part-time, contract employee, starting in April and ending in September, to cover the period when most ordinance violations occur. David Sanger has been asked to serve as the first Code Enforcement Officer. Manigold explained that signage and AirB&B's will be among the first violations that will be targeted. Offenders will be requested to follow voluntary compliance with the code initially. Wunsch made the motion to support the resolution; and it was seconded by Sanders. Roll call followed with the resolution receiving UNANIMOUS CONSENT.

3. Road Commission letter of understanding. Manigold reported that the Grand Traverse Road Commission will be forming their own memorandum of understanding (MOU) relating to the Natural Beauty Road. He recommended that the Board not act on the Road Commission's MOU for a number of reasons. Hayward said the Township's Memorandum of Understanding was modified by the Road Commission by including an item calling for cost sharing. Manigold recommended a "wait and see" position on the MOU. He said we need to incorporate MI DNR standards like those used in Emmet County, where 5 feet of shoulders are cleared, not 15+feet like here. Cary Zeits, Grand Traverse Road Commission sent the revised MOU. Wunsch said he would have supported a delay in the letter of understanding if the Grand Traverse Road Commission would look at other project standards in other

counties. A statement of “Mutual Understanding” was read that set forth a series of conditions and concerns relating to road projects in the township. These included designating Bluff Road as a Natural Beauty Road, with a reduced speed limit to 35 mph, and management guideline provided by the MDNR and the County Road Association in the “Guidelines for Designation of Natural Beauty Roads”; bank stabilization; and Township deferment to the Road Commission in terms of tree removal in general, with some provision for exceptions in terms of tree removal. Wunsch suggested that the Memorandum of Understanding be tabled until conflicts in its wording could be resolved; seconded by Sanders. Roll Call vote: UNANIMOUS CONSENT.

4. Per diem discussion. A previous Town Board meeting had an item on the agenda dealing with per diems for board and commissioner participation in regular and special meetings. At that time, it was decided that additional information on the practice of remunerating Planning Commission, ZBA, and Park Commission members should be secured from other townships in the county. Manigold checked with 3 other townships for their per diem policy. It was found that a wide range of compensation exists—from \$50/meeting to \$120/meeting. There were differentials between members and chairs within certain townships as well. He read the pay-out. Sanders said that the current Township per diem for Peninsula was last set in 2016. Bickle reviewed the context of the problem—should board and commission members receive remuneration for participating in volunteer activities outside of their regular scheduled meetings. Monnie Peters, 1425 Neahtawanta Rd., outlined the three types of meetings in the township—regular, special, working committee as well as site visits. Site visits require no communication between participants in the visit. Committee meetings have to be posted. Sanders stated that the Bowers Harbor Park Expansion Committee was set up as a parallel to the Parks Commission in terms of an agenda, minutes, etc. Achorn stated that the special meetings of the Planning Commission on ordinances deserve a stipend. Nancy Heller, 3091 Blue Water Road, said the Ordinance Re-write is a community effort that should be recognized with remuneration, but whether someone takes remuneration should be their choice. Edmondson, 12414 Center Road, said that on PDR committees, he and other members of the committee volunteered their time. Wahl stated that he would prefer a standard policy on remuneration with a waiver relating to compensation; individuals could opt-in/opt-out. Manigold offered an \$80/regular meeting and a \$40/special meeting with a waiver option. Several other pay-out schedules were suggested by Achorn, Wahl, and Westphal. Achorn proposed that the following per diem policy be established by the township. For the Planning Commission, Parks Commission, and ZBA, when a quorum is present, regular meetings would compensate member at \$90/mtg for the chair and \$80 for the members; special meetings with quorum would pay all members \$80/mtg with sub-committees receiving \$40/mtg/person; appointed subcommittee members receive \$40/mtg and can waive this remuneration; and voluntary subcommittees receive \$0/mtg. Westphal supported the motion. Roll call vote: Yes-Achorn, Bickle, Wahl, Westphal, Wunsch, Manigold; No-Sanders. Motion passed 6-1.

5. Compensation for Fire Chief. This discussion was initiated by Manigold, who provided a profile of wage scales for area fire chiefs which ranged from \$65,000/yr in Leland Township to \$48,900 in Elmwood. He stated that when Ronk was Fire Chief, his compensation was \$85,000/year. Bickle framed the context for discussion regarding Acting Fire Chief Randy Rittenhouse’s current compensation. This included the fact that Rittenhouse was promoted to the Acting Fire Chief position by the old Town Board when Fire Chief Ronk resigned the post in 2015. He has never been compensated for this additional responsibility. Achorn outlined Rittenhouse’s current base salary which is \$47,155.16 excluding overtime. Manigold would like to see the new Town Board consider giving Randy a bonus to compensate for the 18 months that he has been Acting Fire Chief without compensation. Sanders proposed awarding him a \$15,000 bonus; this was seconded by Achorn. A discussion followed regarding Randy’s service to the community, which ended in Sanders withdrawing her motion. Achorn made a new motion proposing that Rittenhouse receive a bonus of \$20,000; this was seconded by Bickle. A roll call vote followed. Yes—

Achorn, Bickle, Sanders, Wahl, Wunsch, Manigold. No—Westphal, who cast her negative vote not on the person, but on the process that this discussion and subsequent vote took. Motion passed 6-1.

CITIZEN COMMENTS: Dave Edmondson, 12414 Center Road, asked the Town Board whether anyone on the new Town Board is familiar with the Code of Ethics that was passed on November 9, 2013 when Manigold was Township Supervisor. He wanted to know if the current Town Board is bound to this code. Manigold said that he is not sure if it is still in effect. The Town Board should review the code. Edmondson said that the Code of Ethics pertains to the responsibilities of the Town Board to enforce Special Use Permits, such as the one at Bowers Harbor Vineyards. Is anyone concerned about the safety of people using the park, when vehicles from this enterprise are entering the park illegally? Manigold said that the Township is working with BHV on a fence between the park and the winery, and that barrels have been placed by the winery to block traffic from the winery to the park. Edmondson said that the barrels were placed on Township property, not on BHV property. Manigold said that the only violation at this time with BHV is a deck violation. Bickle said that a Code Enforcement Officer is now on the job and can administer warnings concerning BHV patrons using the park to exit the property. Edmondson raised the Code of Ethics issue again. Westphal asked him to read the Statute in the Code that he was concerned about. Statute #6 was read to the Town Board. This statute suggests that the Town Board is not performing its responsibilities when a known violation of Township ordinances occurs. The discussion concluded with a disagreement as to whether Town Board members are aware of trespass violations from the establishment.

Nancy Heller, 3091 Blue Water road, stated that she would like resolution amendments be posted with changes; she wants to know who is the zoning administrator. Manigold responded that Christina Deeren is the current zoning administrator. Heller wanted to know what her base salary is, going forward.

Monnie Peters, 1425 Neahtawanta road, stated that a job description should be guided by state statute; she suggested that this is where the job description should get defined. Michigan Township Association (MTA) may have guidelines on job descriptions.

BOARD COMMENTS: None.

ADJOURNMENT: Wahl moved that the meeting be adjourned; Sanders seconded. 7-0 in favor.

Meeting ended at 2:50 pm.

Respectfully submitted,

Joanne Westphal, Clerk and Recording Secretary