

Peninsula Township Town Board
Second Regular Meeting 7:00 PM
September 27, 2016

Meeting called to order at 7:00 PM

Present: **Avery; Byron; Westphal; Manigold** – chair; **Weatherholt; Witkop; Rosi**. Also present were *Gordon Hayward*, Interim Director of Planning and Zoning and *Mary Ann Abbott*, Recording Secretary.

Absent: None

Approve Agenda

Manigold would like to remove Business item #4 and place the BS&A training on the November Agenda.

Manigold would like to remove Business item #5 Contractual Rate for Michelle Reardon from the Agenda as this is no longer a consideration.

Byron would like to add an item under Business #4 which is to have Manigold take her position on the Union Negotiating team for the Fire Department

Witkop Do we need to address any of the information on our table tonight. **Manigold** reviewed the information, which included an email from John Jacobs concerning the Boat Launch, letters from Attorney concerning Land Division lawsuit and email from Nancy Davy regarding legal expense. Discussion was held briefly on these items with the consensus that the Board needs more information before answering. The documents are available online.

MOTION: Witkop/Weatherholt to approve Agenda as amended.

PASSED UNAN

Brief Comments – for items not included on the Agenda

Pat Trnka, 17068 Peninsula Drive I know that John Jacobs and everyone on Leffingwell Point are concerned about the Moorings. Everyone pays taxes. They have their own docks and jet skis and can come and go, as they please. The rest of us have Haserot Beach. There is no parking; there is no room on the beach. It is time so separate the boats and the swimmers. There should be no preferential treatment. They have the time to speak in front of the public and not behind closed doors. They have had the same chance to voice their opinion in the public, out in the open. They have no more rights to that harbor than the people who live here year round.

Conflict of Interest

Weatherholt feels he should declare a conflict of interest for the PDR Monitoring Contract as he has a property within the PDR program that is monitored. **Witkop** that would be the same for Rob and Joanne. Consensus of Town Board is that Weatherholt should not recuse himself from this discussion.

Business

1. Consider Approval of the Audit Draft

Weatherholt presented the Audit Draft at the suggestion of the Auditors so that the new board could familiarize themselves. Most of the Audit is the Clerk's responsibility. The suggestion is that the draft be approved and filed with the state tomorrow. Part of the audit agreement is to have the auditor attend a meeting to explain the audit and auditors comments. Discussion occurred

Manigold for the audience benefit there is an audit every year where they come in for 3-4 days and compare the entries of the clerk's office and the treasurer's office. . **Witkop** they appear to be normal year-end adjustments but the one that is questionable is Item 22 for \$15,818.96.

MOTION: Westphal/Witkop to approve the audit draft.

Roll Call Vote: Avery-Yes; Byron-No; Westphal-Yes; Manigold-Yes; Weatherholt-Yes; Witkop-Yes; Rosi-No
Motion Carries (5/2)

2. Consider Approval PDR Monitoring Contract

Manigold reported that Gil Uithol has agreed to do the PDR Monitoring again this year. In fact he has already started. **Avery** there were too many issues last year. There were continuing mistakes and accounts not worked. **Witkop** This is the third

time that this has come to us after Gil has already started. There were lots of problems. There were errors and blatant mistakes way beyond the use of staff time. The price keeps going up. Monitoring contract should be based on the number of easements not the number of parcels. It is not getting done well. We are paying \$5000.00 each year without a good job being done. **Byron** Did anyone talk to him last year? **Manigold** Gill is asking for a \$3.00 a parcel increase this year. The assessor is willing to help him. **Manigold** explained his conversation with Gill including the offer for increase. He is an independent contractor and will not be able to use office help. **Manigold** we could try to do it internally with Claire and Sally. **Weatherholt** We need to get it done. New Board can do what they want next year. **Manigold** He and Sally can review every one. **Witkop** if he is not willing to do this for \$4500.00 perhaps assessor can look at the ones that really need to be done. **Westphal** we should think about a summer internship with MSU's planning department to have someone come out and do this for experience and a small stipend.

MOTION: Witkop/Rosi to have Gil Uithol do the PDR Monitoring to be reviewed by Supervisor and Assessor for the price last year up to \$4500.00. One roll of stamps and envelopes have been provided by the Supervisor. Copying also allowed. Township Supervisor is to have a conversation with Uithol to make him aware of the Board's concerns.

Roll Call Vote: Avery-No; Byron-Yes; Westphal-Yes; Manigold-Yes; Weatherholt-Yes; Witkop-Yes; Rosi-Yes
Motion Carries (6/1)

3. Approve Young, Graham, Elsenheimer and Wendling Invoice

Manigold This item was removed from last month's consent agenda so that Margaret Achorn could come in to review it. That has been done.

MOTION: Weatherholt/Witkop to approve the Attorney bill that was removed from last month's consent agenda.

Roll Call Vote: Avery-Yes; Byron-Yes; Westphal-Yes; Manigold-Yes; Weatherholt-Yes; Witkop-Yes; Rosi-No
Motion Carries (6/1)

4, Request by Byron to remove herself from the Union Negotiating Team for the Fire Department and replace with Manigold.

MOTION: Byron/Weatherholt to remove Witkop from the Board.

PASSED UNAN

MOTION: Avery/Weatherholt to accept the replacement of Byron with Manigold on the Union Negotiating Board for the Fire Department.

PASSED UNAN

MOTION: Byron/Weatherholt to bring Witkop to the Board.

PASSED UNAN

Citizen Comments

Harold David Edmondson, 12414 Center Road is involved in 5 PDR contracts. He is concerned with monitoring issues. Is the Monitor required to know what the covenant says? Board responds yes. **Witkop** he is monitoring the Easements. *Edmondson* has seen him in action on his own farm. It did not appear that the person monitoring was aware of the covenants. He would like to see tight reigns on that

Corey Phelps, 8977 Sunset West update on Old Mission Peninsula Foundation says the Articles of Incorporation are filed, EIN in place, 1023 is being filed so that in the next couple weeks there will a social media update. We are looking for your support and donations. Look for that coming because they will need your support.

Board Comments

Westphal Thanks to Carol Raphael all of the election workers are lined up and ready to go. Absentee Ballots should begin to go out. Deb Hamilton (Assistant Clerk) has done a terrific job.

Avery sent an email but would like to say that he has not seen any pumpkin vines at Bonobo. When Avery asked about the 2015 crop the attorney stated that it was fermenting. It is our due diligence to check on that fermenting so that we can determine the follow up.

Avery also glad there is a lot of work going on for the school but if the board coming in does not take a different stance than the board going out there will not be any families on the Peninsula. He hopes that the incoming board does not take the view of the special interest groups that do not want to see children or places for them to play or affordable housing. Avery hopes they look at bringing families back to the peninsula and not just a retirement community.

Witkop would like to welcome Gordon Hayward back.

Manigold would like to mention is that the Oosterhouse's have been in and would like to be in compliance. Their deed might be off and they may own part of the Cherry Orchard so we may not need to go to court.

Manigold also states that he and Sally have met with the two new Special Assessment District (Braemar and Old Mission Estates). Instead of drainage we have asked about putting in a new road as well as the drainage. We have met with Logan Hills and they are still adamant to do the drainage. Thought we could talk about sewer and water and build the drainage into that plan. Maple Terrace would like water. Hope to combine all that money and combine with a County Bond so that the money would be reasonable.

Manigold Complaints on the Cannons in the vineyard but that is a right to farm issue.

Westphal reported that Vicky Shurly, Old Mission Community Library will be archiving the minutes at the library. She has encouraged the secretaries to flush them out a little more so that people can understand the issues. Two new secretaries have been hired and looking for a third to back up.

Westphal also states that Bonobo issue has been ongoing and it really started with PDR language. That contract is not well known by the person doing the monitoring. Earth moving or mining is not allowed on this Peninsula. What Edmondson was trying to state is that each easement has it's own language that is unique to that property.

Witkop was involved in the PDR easements when she worked in the office. She took every one of those easements and scanned them into the computer and then stored them in the basement. They are in PDF documents. Also maybe we should be looking at this as an ongoing project because once a year may be difficult to follow. Should be very accessible.

Harold David Edmondson, 12414 Center Road with the PDR contracts. They are contracts not Zoning. It is a big difference in terms of enforcement. **Manigold** there is money set aside for enforcements of these PDR's

MOTION: Weatherholt/Avery to adjourn at 8: 08 PM

PASSED UNAN

Respectfully submitted by Mary Ann Abbott, Recording Secretary