

PENINSULA TOWNSHIP
Regular Town Board Meeting
October 9, 2018

Transcribed Meeting Minutes

Supervisor: I would like to call the meeting to Order at 7:00 p.m. would everyone please stand for the Pledge of Allegiance.

Pledge

Rob: Roll call please, Joanne.

Joanne: Marge?

Marge: Here.

Joanne: Isiah?

Isiah: Here.

Joanne: Dave?

Dave: Here.

Joanne: Brad?

Brad: Present.

Joanne: Rob?

Rob: Yes.

Joanne: Rob?

Rob: Yep.

Joanne: Myself, yes.

Rob: Warren, has anybody heard from him this evening is he just running late?

Brad: Just don't know.

Rob: Okay, citizen comments this would be an appropriate time if anyone would like to make a statement. We would ask that you state your name and address for the record and try to keep your comments to three minutes.

Hi, my name is Matt Anderson, 9501 Rolling Ridge Drive, I have lived on Old Mission Peninsula for twenty years and just wanted to introduce myself to the Board. Thank you for your time and service. I know what time commitment you guys all put in, I appreciate it. I was elected or I was appointed to the TCAP's School Board in July. Unanimously appointed by the current board to fill out a term of a person who had resigned, I am a candidate for the TCAP's school board here in November and my first, just a little background on me. My first career was in the State Legislature as a Legislative Aide to State Senator, George McManus. I learned a lot of experience in State Legislative processes including the Board of Education in the school districts around the State. I'd like to take this experience and use it for another four years. I have been with Global Marine Insurance here in Traverse City for the last twenty years, we employ sixty-five people most of whom live in Traverse City, fortunate enough to be the president for the last eight years. I have served our community in a variety of ways from Sunrise Rotary Board Member, to the TC Chamber Economic Development Corp Board Member to the Pathfinder School Board for six years. I was recently endorsed by the Traverse City Teachers Education Association. I am an independent voice for the School District moving forward. I have met a lot of good people so far, a lot of passionate people who are also serving our district well and I'd like to use my experience and my independent voice to taking the School Board into the future. Other independent voices who are running for the election would be Sue Kelley, Jeff Manheart and Pam Forton. I would appreciate your consideration. Thank you.

Rob: Anyone else care to, Dave.

Harold David Edmondson, 12414 Center Road, I would like to talk about this PDR

Monitoring contract for the bids that are coming in, we've got two bids for twenty-six thousand dollars, one for fifty-seven thousand dollars and I understand there's about one hundred and twelve contracts that need to be monitored. For the twenty-six thousand dollars that works out to be about two hundred and thirty per contract, and the one for fifty-seven thousand dollars it is five or eight, which I believe is from the Conservancy for a multi-million-dollar program that sounds pretty reasonable to have each one of those monitored at that range, I think. But then when you go back to what we have done the last four years and have this contract out at five thousand that works out at forty-five dollars apiece. Do you really think you can get the job for that? I don't think so. So again, as a person holding a contract, I'd like to see my contract, I want to uphold it the best that I can and I want the Township to do their part and make sure that everybody else is because every single person is paying for these and again multi-million-dollar program. Sounds like five thousand dollars is a pretty weak deal and then because we've had three years with Gill Uthol, you guys weren't satisfied with that. Then last year we had Sally and Christina do it and as I brought to your attention on one of the contracts that I hold there was an easement placed on one of the PDR contract properties. Which now that land is not available for open space or agricultural purposes and that was one of the

points that we sold the land for that's what the citizens paid for. Now there's a deeded recorded easement on it and the monitors didn't pick it up last year. So again, I think we've got, you gotta a weak effort at five thousand dollars, so I think you really need to consider looking at the two bids that you got that are more appropriate for the program that's, that's out there. We need, we need legit people that are available, not on the weekend but during the normal business times. I don't want to be bothered on the weekend with people coming to my farm. I hope you would respect that.

Rob: Well we are investigating that easement and that easement would not be caught by the monitoring.

Dave: It should be the deed is recorded.

Rob and Dave begin speaking over each other at the same time.

Greg: You guys can't talk over each other.

Dave: Okay, well tell him to do the same.

Rob: We are putting it under we are taking this under investigation. We don't believe that there is an issue but we are looking into it.

Dave: It is an issue because you put an easement on something that's it's not allowed in the contract period.

Rob: You're alleging.

Dave: No I'm not.

Rob: We are looking into.

Dave: Read it.

Rob: Okay.

Dave: You've gotta read it, if you don't read it you can't find it and you don't know. That is why I am bringing to your point, I don't believe that these people have read the contract and that's.

Rob: But.

Dave: Why I bring it to your attention.

Rob: This is not, when you review.

Dave: Read it

Rob: No. Never mind.

Dave: Read it.

Rob: Okay.

Dave: Read it.

Rob: Anybody else?

Brad: So noted.

Rob: Vicky.

Someone makes a comment (unclear)

Rob: Oh, okay.

The three musketeers twenty-two months ago, we told you we were going to build the heart of the community. I'm very pleased to announce that this month we will be breaking ground on the a new library. Over thirteen hundred people have been involved as donors as volunteers as endorsers. It's been in an incredibly supportive project and we hope you will all come the ceremony is this Sunday from three to four o'clock on our land rain or shine so you might need you're wellies and raincoat but we would and your parka. But we are really truly hoping you will come out and support this community project. The library is a place for every one on Old Mission of all ages and we're very excited about it. To do this in twenty-two months it's incredible we still have about four hundred thousand dollars to raise but we are going to go ahead we are excited to know it's going to happen. We thank you for the support you've given us. Nancy has led the charge and she's also been a major donor with her husband, pitching in three quarters of a million dollars, So I will let her speak next. Heather is the president of our board and she's my been involved every step of the way. So they have a few words to say as well.

New speaker: How much time am I allowed? Rob? No, I actually have nothing to say. Accept that we appreciate your support and especially appreciate the support of everyone in the

community. This has been a very exciting project and I'm going to let Heather who knows much more about the architecture issues to talk.

Heather Lynn Johnson, 3566 Thisledue Drive, I am the president of Peninsula Community Library Board of Trustees and we are elated to actually be breaking ground here within the next week or two. It's been a long process as you all know. We still have about half a million, four hundred thousand dollars to raise but we want to thank you all for your support and the community. Sunday three o'clock you're going to see equipment on the land ready to move dirt, so all we have to do is finalize and sign the contract. The library board met twice last week and did a lot of due diligence a lot of time spent and decided on Grand Traverse Construction, unanimous vote and we are elated to have them on board building the heart of the community. Again, thank you all for all your hard work and support all this time.

Vicky: And we expect to see you all on Sunday.

Brad: Thank you.

Applause by Board and audience.

Rob: Alright, Sally.

My name is Sally Akerley, I am the Township Assessor. I thought I may have to speak on this issue tonight so I have some prepared statements that I would like to read and submit for the minutes. Unfortunately, I've come to understand the dangerous impact of leaving things unsaid. Left unchallenged false hoods spoken repeatedly become truths in the mind of the public. Mr. Edmonson has been providing excessive and inaccurate commentary regarding the land division involving the Oosterhouse winery. These statements are made at public meetings and at township offices. These statements are reoccurring there directed at the public and the Township commissioners and serve to suggest that I've done something wrong or the Oosterhouse has done something wrong. In 2013, Todd Oosterhouse and Kermit Campbell working in partnership applied for and were granted a land division. The land was subject to a purchase of development rights agreement, PDR. An easement was utilized to provide access to one of derestricted unbuildable child parcels. The request was approved by the zoning administrator, as well as the township planner who read the PDR agreement and made specific citations to the division's conformity to the contract. The recorded deeds reference the PDR easement and the land division was approved and recorded at the Grand Traverse County Register of Deeds for the world to see. Coincidentally in 2009, Dave Edmondson applied for and was granted a substantially similar land division. Like the Campbell, Oosterhouse parcel, this land was also encumbered by a PDR agreement. Like the Oosterhouse division an easement was also utilized to provide access to one of the deed restricted unbuildable child parcels. Mr. Edmondson has been a regular fixture in this township, he's attended meetings and visited the township hall on occasions too

numerous to account. He's stopped in my office multiple times over the years to check records, stay on top of legislation and seek advice. We've had a history of amicable conversation, why at this time Mr. Edmondson is trying to research and cast suspicion on a land division approved five years ago is very curious to me. As the domestic partner of the Township Clerk, I can only surmise that I'm being bullied by proxy. This behavior is markedly different and negative and coincides with recent disputes with the Township Clerk. Each and every time I hear an inaccurate statement regarding the assessing department, I'm going to address it, both here, publicly, and in writing and as I have in the past I would invite anyone in the public to come into my office and always I have an open door, ask any questions you may wish. Thank you.

Dave: Stands from the audience and raises hand, may I respond?

Rob: I'll let you respond, is there anyone else first?

Dave: Okay.

Rob: Mary.

Mary Swift, 13596 Peninsula Drive, The statement I'm going to make right now wasn't on my prepared but the circus I just saw I have to comment on so I'll get to my prepared statement. While Mr. Edmondson was taking to task on the PDR, there was an enthusiastic response anybody watching the Clerk bobbing her head, yes, amen, actually quite literally mouthing the same words he was. It makes me wonder if she wrote it for him and that's all I'm going to say. I watched it and witnessed it, and it is appalling. So know I will read my statement and on that note the Clerk needs to make sure she is recusing herself on any discussion of PDR. I'm speaking tonight as I did at the meeting two weeks go about the concerns and issues surrounding the Clerk's office. I continue to question why the Clerk has not moved up her resignation date from December 31st. In the corporate world and even in academia it is customary to give two weeks' notice, not three and a half months. With this lengthy departure timing the Clerk is disrupting the ability of our remaining Township Officials to appoint a new Clerk and all that entails with that appointment. I would like to remind everyone that what I said at the prior meeting, I am not in the legal and illegal business, at least not for now. I am in the right and wrong business where are township government is concerned. What the Clerk is doing regarding the resignation timing may be legal, but it is wrong. With that in my mind, I would like the community to be aware that it has come to my attention that the Deputy Clerk plans to resign her position shortly after the November, 6th election. In addition, the Clerk has plans to use vacation time for most of the month of December. The Clerk's refusal to step down now is making it difficult for the other members of our town board to ensure smooth running of the Clerk's office. We need to appoint a new Clerk, and that Clerk needs to start the search for a new Deputy all that takes time which the present Clerk through stubbornness, retaliation, defiance, or some other reason, is denying this community. How is this the right thing to do? It is not, it is the wrong this to do. How is

this honoring the oath you swore to serve? It is not. The Clerks continued presence is not only hamstringing the smooth running of our township government, she is creating the hostile environment she has publicly said has caused her resignation. While this is dragging out, there continues to be concerns about the Clerks inattentiveness and unresponsiveness factual inaccuracies, bias, interference, conflicts of interest, and even worse hiding information from the public. Case in point is the minutes from two weeks ago where I spoke. The minutes are in tonight's packet. However the Clerk reduced an eight minute two-part comment by me to less than a paragraph. If you did not hear it you need to view it in verbatim. It sheds a completely different light on the claims of the Clerk. She had done the same to Mr. Santucci's comments. Editing the minutes to prevent criticisms, concerns and questions about the Clerk's performance perfectly highlights the lack of integrity, and transparency that is one of the criticisms and concerns. How is that honorable? It Isn't, it is wrong. It is clear that changing behavior you have been doing regularly for the prior two years by publishing verbatim minutes causes concern about someone trying to hide from the truth. I would ask that the minutes from the last meeting be written verbatim before they are considered for approval by this board. I'm sure the remaining board members are doing their level best to keep the township on top of this issue despite the actions of the Clerk. I want to thank you all and let you know that as I have said in previously I am not only speaking for myself but for those who have entrusted me with their input.

Rob: Okay, Dave, if you want to make a comment I think, I don't want to have a debate here between you and Sally.

Dave: I understand (speaks the while walking up to the podium).

Rob: I think we can get some information to get everybody in a room and get it resolved is what I would like to do.

Dave: Alright.

Rob: Alright.

Dave: Here is a recorded deed at the Register of Deeds. It's got an easement on the contract that I hold. I have something to say about this Sally, I'm not you and I have had very.

Greg: Dave, Dave, you can't just talk to her you have to address these people.

Dave: Sally and I have had very good conversations and I thought she gave me this as other day. I appreciated it, it helps me and what I'm concerned about is the PDR program. I'm very respectful of this program. I see something that you guys are going to do here that's inadequate and I'm just trying to bring it to your attention. I'm not trying to degrade either one but what I have seen its right here. I'm at the Register of Deeds

and it's in your office over here. I'm not dreaming this up, there it is. We all payed for this, and not we've got an easement crossed with this. My contract says you can't do that. I spoke with the USDA people that monitor the contracts that you send to them and he was in agreement with me. You aren't I know that, but I'll tell you what, you aren't the judge. This is the legal document that means everything and I think if the monitors are reading this and look at this, you got to have a question and when the monitor is the one that facilitated this and getting payed to do the monitoring and doesn't bring it to our attention, I'm not getting my money's worth. I talked to Isiah Wunsch about this I talked to Dave Sanger about this. I want it done right, and I hope you do to.

Rob: Thank you, anyone else want to comment?

Dave Edmondson steps in front of another person to make an additional comment.

Dave: There's one last thing I'd like to say which will concur with someone else in the audience. Mary Swift there's something broken here and she's a hundred percent correct, but it starts at the top.

David Rowe, from Alward, Fischer, Rice, Graph, 202 E. State Street, Traverse City, Michigan, I've been retained by Christina and Sally to represent them. The Clerk has tried to paint herself as a victim, in her statements to the public, in this public forum, and in the media. She in fact is not the victim, she's the perpetrator. She has painted miss Akerley in false light through her public comments. She's disclosed confidential medical information about Miss Deeren in the public that's a violation of HIPPA. Last week I submitted a detailed complaint to Mr. Meihn that related to the hostile work environment through retaliatory behavior of the Clerk, in the hopes that we could make it an amical resolution to these issues, outside of court, something to make a better work environment. Mr. Meihn said he would go through and do a thorough investigation of all these issues, I'm confident Mr. Meihn is doing so. Unfortunately, despite our complaints the problems persist. Most recently on October, 5th, 2018, Miss Deeren, the recording secretary for this board, timely submitted her draft minutes for the September, 25th, 2018, Township Board meeting to the Clerk. Miss Deeren has been the recording secretary for this board since October 2017. Miss Deeren has never submitted her minutes late and she did not do so this time. As you recall there's some heated discussion at the board meeting on September, 25th, board meeting regarding the Clerk's conduct, unfortunately the Clerk ignored Miss Deeren's seventeen-page, verbatim minutes and decided to publish heavily revised minutes that were four pages long. Omitting public comments, and changing what people said. The minutes also submitted by the Clerk inserted her personal comments of things that were not said during this public meeting. These minutes cannot be accepted by this board. The Clerk also edited statements made by the public that were negative towards her while leaving other statements alone. Why would she have done this? Is there a personal reason? This includes the statements made by Mary Swift that were asking for the Clerk's immediate resignation. Miss Swifts transcribed statement took up a full page,

the Clerk's summary took up a whole four lines. At the end of a public comment Miss Swift gave a lengthy statement. Instead of the Clerk using the transcribed statement submitted by Miss Deeren, she simply stated, or asked the public to refer to the Old Mission Gazette for full comments. Clearly, she did not want this in the public record. The Clerk totally omitted other comments made by her significant other Mr. Edmondson. Additionally, Miss Akerley gave a one-hour presentation related to the PICTOMETRY software. She presented fifty-eight pages of material and the Clerk's comment was that no demonstration was fourth coming again this is to paint Miss Akerley in false light. This is not acceptable. The public record should show Miss Akerley's hard work in presenting the software to this township. We also compared the September, 11th, 2018, minutes that were transcribed versus the minutes that were actually submitted for your approval. Similar to the September, 25th minutes, the Clerk made changes to the actual comments of the public. She changed their verbatim statements, to paint herself in a better light. All this brings into question the integrity of the township's minutes of the township record from the townships record keeper. We are asking that you remove the approval of minutes from the consent calendar, and have a thorough discussion. That you consider Miss Deeren's presented minutes and verbatim transcript for actual approval. I did provide, I did bring copies of the complaint that was submitted today to Rob from Miss Deeren highlighting these issues, and I would like to pass those out to you in a second. As far as a PDR bid at five thousand dollars, you have two faithful township employees that are trying to do what's best for this township. They think the other bids are ridiculous and they do a good job. They have been serving this township for a long time they should be given credit for what they've done. Thank you.

Rob: Thank you, anyone else care to make a statement?

Nancy Davey, 14713 Shipman (spells Shipman) Road, I have no intention what so ever to get into any of this discussion but I feel like I have to say something. I happen to be the chairman of the committee that reviews and processes the absentee ballots. I know intimately the manner in which we handle each and every ballot. Our goal is to ensure the safety, security of every ballot and ensure that each person's vote is counted. This is a very detailed and complex process and I think that anyone that thinks someone else could come in and take over this process in such short notice before an election tremendously underestimates the dedication and knowledge and so forth that goes into this process and that's really all going to say. I just want you to know it takes a tremendous amount of effort. There were, anyway, I met with Joanne this morning just so we could start it starts this early. To start talking about the review of how we process all of that and all the information that has to go to each of the various entities that receive the documentation. We send information to the County and information to various points, and it is done with total, total dedication and accuracy. That is all I have to say.

Rob: Okay, thank you. Mary.

Mary Swift, 13596 Peninsula Drive, Sorry to rebut what Nancy just said but I will remind you yet again. Two years ago, in September the prior Clerk resigned before one of the most monumental presidential elections of our life time. This township did not miss a beat in that transition for a new Clerk to come in because people like Nancy Davey have been doing that job underneath whoever is sitting in that Clerks' job. People at the prescript captions have been doing that job. It is not imperative who sits in that Clerks' seat for an election to run smoothly. The County Clerk is more than able and more than willing to help out this township and has in the past. As I will remind you yet one more time how we made it successfully and admirably through the Presidential election of 2016 for the Clerk that resigned in September.

Rob: Thank you, any other public comments? Then we would go to, well actually I would like to say just for the record, that we do have processes in place for all of these things. We are going to as a township work through those processes, and we all have to remember that we are all neighbors and the way it's headed out it seems that some bad things are being said about different people but there is a process we're in the middle of it. We are working with Mr. Edmondson, I met with Mr. Oosterhouse today and we are reviewing his claim. We do have to all have to work together we all want to make sure it good for the election coming and I guess that is all I have to say on that account. Approval of the agenda any additions or changes to this evenings agenda?

Brad: None.

Rob: Okay, I'd entertain.

Dave: Mr. Chair, in my review of the minutes the minutes of the meeting of August 28th had not come back before this body, that needs to be addressed I believe. At our meeting of September, 11th, this Board decided to table the approval of those minutes the Chair, the Supervisor asked for a verbatim, transcription of a portion of that meeting. I didn't see those minutes and I'd like to address.

Joanne: I'd like to address that Dave. Actual we have two sets of minutes that we need to review. The minutes of August 14th. there were two requests by you that we incorporated. These were minutes that Christina Deeren did and she received remuneration for doing them and you had identified two corrections that you wanted in those minutes and I would expect that have the recording secretary would have made them but they weren't, so today I did make them. The first one involved page six were Randy Mielnik's name was misspelled.

Marge: Excuse me which minutes are they?

Joanne: These are the August 14th minutes and you will see that when I pulled these off or whoever pulled them off today that the correction had not been made so they are made now. I had the August 14th edited minutes here if you want to see the corrections and also there was on page eight the request by you, Mr. Sanger, to change a word that was in a paragraph. You wanted the word truce, I think it was

truths that were in there and that was changed instead it was truce (spells truce) not truth that was in there and that had not been changed so changed so I made that change today as well. Bickle at that time made a comment about some of the invoices in the August, 14th, meeting. One of them dealt with a Gordy-Frasier and Associates long past due for various reasons that stayed basically the same as they also reported on the monthly fixed rates stipends. So that took care of the August 14th. Now this is part of the problem that we're seeing when you have someone come on board as the recording secretary, and we will see again in the August, 28th, minutes that Mr. Manigold wanted verbatim transcriptions of the comments by Dave Edmondson on the PDR monitoring in the August 28th. Dave Edmondson wasn't even at the meeting on August, 28th and there was no statement by Dave Edmondson when I went through this and looking for it.

Rob: I don't think I made that of Dave Edmondson.

Joanne: Yes.

Rob: Makes a comment unclear.

Joanne: It doesn't matter, Dave Edmondson wasn't here to make any comment.

Rob: That was.

Joanne: On August 28th.

Rob: That was his comment. When I made the comment that I asked for the section on the PDR monitoring in the.

Joanne: The August 28th meeting minutes and it's on the Stream Spot if you want to check.

So I went through this and did not see anything by Dave Edmondson and as I went through it I simply made myself some notes now let me just say a few things about the minutes, seen as some people seem to have some problems on this. I checked first of all, often times in academia the practice that if you are going to resign, you resign three to six months ahead of time. That allows universities to find suitable people to come in and be interviewed. So, unless Mary's been a part of academia which I don't believe she has, she is talking out of term and that's in regard to hiring practices in academia and I've been on plenty of hiring committees so believe me it is a three to six-month process. MTA Catherine Mullhaupt (unclear) the attorney, has said on many occasions when I've talked to her about the content of minutes that only actions need to be recorded. Only things that have been voted on by the board have to be recorded in the minutes. The Clerk is the ultimate recording secretary, okay, so if I delegate someone to do this, then they are basically responsible to come to me in a timely fashion. Yes, Christina did do the minutes of September, 25th, but she put it on the F/: Drive on Friday the 6th, I believe it was. Let me get my calendar so that I can check and so they weren't available to be put. In fact I didn't even know they were done because I had gone in to ask if she thought when she would have them done on Wednesday, let me find my calendar, here it is okay.

Greg: Can I just address a point of Order. I think your September is fine but we raised the issue on August minutes and I think the board needs to make a motion on those August minutes and then move to allow Joanne to continue on talking about the September but the question that was raised was the August minutes being addressed and I would just like to think of a point of order so the record can reflect it that way, I mean Supervisor if you think you want to just go through all of September you can but.

Rob: Well, on the September 14th I think Dave did.

Rob: On September, 14th I think they did. I saw an email going to her making that request. What I was asking for was a verbatim on those where Clerk Westphal made the comment of we had to go out for bids over a thousand dollars, I did not think that that was what was said at the meeting. That's why I ask to have verbatim.

Greg: No, I understand.

Rob: That's not in here. I cannot vote for these.

Greg: The August minutes or the September?

Rob: I thought you were talking about August 14th.

Dave: I raised the issue to add to the agenda, as a question to where are the approved minutes from August, 28th? My research tells me that those minutes were never approved by this board and I'm concerned because this is a month later.

Joanne: Yeah.

Dave: Okay.

Joanne: And you should be.

Dave: I just asked Mr. Supervisor that the agenda item, I didn't mean to go off the agenda this time.

Marge: Isn't it, isn't it a procedural thing that until the minutes are approved, they should have a draft shadow put over every single page, and once the minutes are approved that information should be placed at the top of each those minutes. Right now, we don't know exactly until we go back and forth, back and forth. I still have a question about the July, 24th, set of minutes. That I this week I looked on our website and the correction that I made on August, 14th, and I gave to the Clerk still has not been made on the July, 24th minutes.

Joanne: And again, Miss Deeren was the recording secretary she should be making those changes. We are paying her to do.

Marge: But I gave them to you and

Rob: May I.

Isiah: Could I just make a point of Order? Can we keep the conversation focused on our minutes? I think it would be appropriate for us to have a conversation about how we're managing the internals of putting those minutes together during Board comments at the end of the meeting but from a process stand point I think that it's going to be a lot more efficient for us to move through.

Brad: I'm going to tell you what we need to do. We need to have a special meeting where we sit together and go through this because this is a gross waste of everyone's time at this moment I don't see a resolve coming. Quite frankly I want to go back now and then I'll stop. I remember the chair saying I want the meeting from the 28th, fully transcribed, which is probably what created the twenty-two pages. So, I think we need to go back to the records and figure out who said what then have our spectral meeting like adults and say, okay, we approve these we modify these. You're not going to resolve it tonight ladies and gentlemen.

Rob: Well, I have a suggestion and I've been thinking about this since we've been talking and a board member approached me earlier. What I would recommend we have people on one side contesting the minutes and the other side we have an inner play of what really happened. I think I would make a motion that we give those four minutes I believe tapes we give the tapes to Mr. Meihn and have him transcribe them like we would in court. Then when we sit down, we will know exactly what was said each meeting and hopefully we can come up with an improvement.

Brad: Do you have the dates, obviously?

Isiah: I would in fact like to add to the motion if possible. I feel that we should record our minutes, we should have a third party record our minutes externally and pass our minutes verbatim at least until the end of this year. I think that that's the most appropriate way to handle this dispute. I know that there are legally required minimums for what we can put in the minutes but we have all campaigned-on transparency.

Rob: Okay, is that a motion.

Isiah: That's a motion.

Brad: Why don't you make your formal motion.

Isiah: My motion, my formal motion would be table the four sets of minutes that we have before us this evening that we find a third party transcription service whether our attorney's office can handle that or whether we need to go elsewhere to get these minutes to us verbatim and then we hand over the tapes for all our regularly

scheduled and special meetings between now and the end of 2018 to an objective third party for their review and transcription.

Brad: I second that motion.

Rob: We have a motion and a support further discussion?

Brad: None.

Rob: All those in favor signify by saying "I".

Joanne: I.

Dave: I.

Rob: I.

Brad: I.

Marge: I.

Isiah: I.

Rob: Opposed?

Greg: Can you do that by roll call, please.

Brad: That's probably a better idea.

Rob: Sure.

Joanne: Okay, Dave?

Dave: Yes.

Joanne: Brad?

Brad: Yeah, yes.

Joanne: Rob?

Rob: Yes.

Joanne: Myself, yes, Marge?

Marge: Yes.

Joanne: Isiah?

Isiah: Yes.

Brad: Okay.

Rob: And Greg could you find somebody if you had somebody in your office so we can get these cause we have to approve these minutes fairly quickly.

Greg: I will get a Certified Court Reporter who will swear that there's been an accurate transcription of the minutes and I think your follow up motion should be that scheduling some meeting within the next ten to fourteen days where-by you will have these transcribed minutes ten days in advance. I can get them done in the next four to five days where then you can sit down and iron out these issues and get them resolved.

Brad: I make a motion that this Town Board meet somewhere between the next ten and fifteen days from to date or as soon as we are informed that the transcriptions are complete and ready for review.

Isiah: Support.

Rob: We have a motion and a support any further discussion?

Brad: None.

Rob: All those in favor signify by saying "I".

Joanne: I.

Dave: I.

Brad: I.

Marge: I.

Rob: I.

Isiah: I.

Rob: Okay.

- Joanne: There's also I think a third leg to this table and that is that along with the transcriptions of these minutes we have to set in place our policies and practices surrounding the minutes in terms of who should be taking them and how they are edited to what degree of information is provided and whether or not these particular pieces of information will be deposited at the Library for public consumption and access. I very much worry about what will happen to our cd's and our video streams once I leave because that has been a problem.
- Greg: Madam Clerk that is a good point that you raise and I think one of the issues are there are many different ways to take minutes. There are many different ways to write minutes. When I do minutes for boards that I sit on I don't put commentary in, I just put in motions and topics and be done with it. On the other hand, and of course the tapes and all that go away and ten years later that is all you have. The way you have been doing it has been complete recitation of full thoughts and everything else. So what I would also be willing to do for you also at this special meeting because I think Madam Clerk's comments make sense is to present to the board what the law requires what the process are and the best practices are and at that point going forward you will then set the policies and procedures of what your minutes are to look like.
- Brad: That would be good Mr. Meihn because that is something every one of us has talked to the MTA counsel and the last thing she says literally every time is this is just a suggestion and guidance, speak to your Township Counsel for guidance so I would agree vigorously that we need to define and direct how this is going forward.
- Joanne: I would just like to say that I inherited a practice that presented the bare bones of a meeting when I took my office and that was unacceptable to the public and that's part of the reason why we were elected. So, I encourage more information in the meeting minutes than less but when the minutes become a platform for personal attacks then I have a problem with that and I think as the ultimate recording secretary something needs to be done and I am very happy to hear that we will in fact create the policy and practices surrounding those minutes in the future and that is what Catherine Malpass said you as a town board need to decide how much or how little information you want in your minutes and then the Clerk is responsible for carrying out where ever on that scale of completeness or bare bones you want to fall.
- Rob: I believe.
- Greg: Could you make a motion, I was writing down did you make a motion?
- Brad: There was no motion it was a statement for the benefit of the board that we have been counseled every time by MTA that the last statement that Catherine Mullhaupt on general guidance is talk to your attorney for clarification, definition and direction.
- Greg: Very smart advice so I would ask the board to make a motion to have me make that presentation of what is legally required and what the best practices are for minutes and as part of what is going to happen at that special meeting.

Brad: So I am going to make a motion for the board that we direct Township Counsel Mr. Meihn to provide and present to us the best practices for the recording and documenting and decimating of township minutes at some point where we all agree going forward that become our practice and policy that's my motion.

Joanne: I would like to add and preserving and protecting those documents.

Brad: So amended.

Dave: I would add to it in compliance with the Open Meetings Act, Public Act 267 of 1976.

Brad: So amended, amended.

Isiah: I'll support this motion and as a discussion item just to say that I would like to see some standards that we can hold. Well I would like to see some proposals we can hold to in an objective standpoint. I guess the reason that I am defaulting towards full transcription at this point is because we seem to have some deep divisions and acrimony between various stake holders in the Township Government and I feel that's the most objective method that we have to record our minutes at this point but if there are.

Rob: Point of order, we made the motion to do it verbatim.

Greg: He just gave an explanation, he's okay.

Isiah: Yep, so as we look at the proposals I would just like to just make sure that we've got some benchmarks to hold those minutes to even if we just go with a slightly reeducated version...

Greg: Because what the minutes cannot be is they cannot be politically oriented to slant to any one person's position they have to be the Boards decision as a whole. I am not saying that that has happened I am not saying that it has not happened I'm just saying that they need to be in a way that are accurate and transparent and complete to the extent that is necessary and when we make that decision. With that I would ask for the Board to vote.

Joanne: What's the motion on the floor?

Laughter

Brad: I did a double amendment to my original motion so I think that we can either go with that or I'll try to restate as best as possible.

Greg: The motion was to have Mr. Meihn present to at the special meeting that is coming up what the law requires you to do in terms of minutes.

Brad: Yes.

Greg: And what the best practices are for recording, plus to ensure that they are in compliance with the Open Meetings Act and plus that there is a discussion regarding preservation of those minutes.

Brad: Perfect.

Greg: In the future.

Rob: Okay, we have a motion and support, any further discussion?

Brad: None.

Rob: Dave?

Dave: (Does not make a comment)

Rob: All in favor signify by saying "I".

Board: Everyone says "I".

Rob: Alright, I'm going back do we have approval of the agenda then?

Brad: Yes.

Rob: Okay

Brad: (Makes a comment unclear).

Rob: Conflict of Interest? Anyone?

Voice from the audience which is unidentified.

Dave: Point of Order, we have a motion on the agenda.

Rob: Pardon?

Isiah: I move for approval of the agenda.

Brad: Second.

Rob: We have a motion and support.

Brad: Wunsch, Bickle.

Rob: All those in favor signify by saying "I". Ok, consent agenda.

Joanne: I.

Dave: I.

Rob: I.

Brad: I.

Marge: I.

Isiah: I.

Rob: Okay, consent agenda, any member of the Board, staff, or the public may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion. We have taken action on the meeting minutes. b. reports and announcements as provided in the packet. Officers the Clerk, New Voter registrations going out Precinct two voters due to change the voting location it's very important to everybody to First Congregational Church Nov 6th. Treasurer's Report, Staff, Planner's Report, Deputy Sheriff's Report for September. Correspondence from Greg Burroughs, Peterson McGregor on sub-contractors & liabilities. Agreement with First Congregational Church for new Precinct number two Voting Location. Catherine Mullhaupt, MTA Attorney on the Michigan Zoning Enabling Act relating to Board Member selection. List of invoices, did the invoices?

Brad: We paid them over the last meeting. That's what the last note says they have been approved and taken care of.

Rob: Okay, well we added the ones from Gourdie Fraisier remember at the meeting?

Brad: The last meeting?

Rob: Yah on Thursday we added.

Brad: There's three we paid them.

Joanne: Okay.

Brad: We approved the payment.

Joanne: We paid them already.

Brad: We're done.

Rob: Oh, okay. I thought we were putting them on this agenda.

Brad: No, they were at the Thursday meeting when we approved it.

Rob: Okay, is there anybody in the audience who would like any of those items removed and placed anywhere else on the agenda? Anyone on the board?

Brad: I'd just make a motion that we accept the consent agenda 7b through 7d, obviously we extracted a.

Rob: Alright we have a motion to support the consent agendas amended.

Isiah: I'll support.

Rob: We have support, Bickle, Wunsch. Roll call please Joanne.

Joanne: Rob?

Rob: Yep

Joanne: Joanne, yep. Marge?

Marge: Yes

Joanne: Isiah?

Isiah: Yes

Joanne: Dave?

Dave: Yes

Joanne: Brad?

Brad: Yes.

Rob: Okay, under old business review of bids and discussion for the PDR Monitoring, including the Town Board subcommittee report. Joanne, we did receive two bids. In the packet this evening there are two bids from one it looks like is from the Land Conservancy and the other one from another one from a Kevin Kroclousky?

Joanne: Corrects pronunciation. (Krogollicky)

Rob: Okay, thank you and on the hundred and twelve his proposal, Kevin's proposal was twenty-six thousand-five hundred and the Land Conservancy was kind of a letter of in between parcels on what they think would take time for a person to do it I guess it's between thirty-seven and fifty-one depending on the number of easements that we would have to work out with them. In addition, at the last meeting there was a concern raised about or two meetings ago on conflict of interest, where the people insured that were out doing the monitoring and independent contractors and we formed a committee of Isiah, Marge, and Dave Sanger to come back with a report. There's also Mr. Meihn a question if we have a conflict with those of us on the board have a conservation easement in selecting any of the monitoring or contracts.

Greg: Well, generally speaking there's conflicts with all of us on many issues in life in general and so in my opinion just because you have a particular easement or part of this process doesn't necessarily in my view constitute a conflict. However, when there is the acrimony that is going on that relates to this and results in complaints by the Clerk about how she has been treated and complaints by the individuals how they've been treated. I do believe conflict rises at that point of time, it doesn't mean the Clerk is not right and it doesn't mean that the individuals are not right it just means that there is clearly both a business conflict and a personal conflict. In that regard I do believe that there is a conflict so.

Rob: That would mean that Mr. Sanger has a conservation easement. I have.

Greg: No I just said that having a conservation easement is not a prohibition or a conflict.

Rob: Oh.

Greg: But I believe that Madam Clerk may have a conflict and if she does, given the acrimony that has been created as a result of this issue. I may be fully wrong on this but I think this whole problem began as it relates to this and comments that Madame Clerk made and the comments that have been perceived and the comments that have been made and perceived by the individuals. Who are looking to become selected for that process so I believe Madame Clerk has a conflict given that acrimony created, I don't believe anyone else who has a conservation easement is precluded from that unless there's something that each of you need to raise or if there is special treatment special things that are being done, which I'm not aware there are, I don't believe any of you them have a conflict to do that.

Rob: Well in a general law township the board doesn't vote on an individual on this board with a conflict.

Greg: Right.

Rob: That person has to recuse themselves if they feel.

Greg: Or herself.

Rob: Or herself, so okay, Dave or Marge or Isiah do you want to briefly go over your report for the?

Isiah: Sure. I'll kick it off. I think we had a fairly productive meeting and last week on, I think it was last week, on this topic we had discussed, first of all had a conversation with Greg or counsel about the on the legal feasibility of hiring Township staff to conduct this work both from the standpoint of labor law and then fit of our contracts and my interpretation of that conversation was that neither of those would present a major obstacle so we would be able to employ staff to do monitoring legally and we could structure increment with staff in a way that would avoid any issues from an employment law standpoint. We discussed you know not as it relates to current staff or current Board but we discussed the possibility of future monitoring issues coming up, particularly if you had a Board that was less supportive of the program generally at some future time of this Board or staff who are less supportive of this program than the current staff. So, we didn't see a need for outside monitoring, not outside monitoring but if we are going to monitor, conduct the monitoring internally and do the leg work internally we felt it would be prudent to explore hiring a third party to audit our

monitoring records. So we would do the physical inspections probably have somebody that could review the work that we're doing and I don't know do you want to add Dave or Marge?

Dave:

I would add to that that we also look very carefully Ordinance twenty-three which is the guiding ordinance to the mass majority of the easements as for PDR ordinance and the ordinance talks about to quote the Township contract with a legally established nonprofit Conservancy or other experiences qualified and individuals. The key there is the word or. Who would share in the process of negating the easements and establishing both the base line study's and procedures and again we talk quite a bit about that word procedures for monitoring any kind of conservation easements. We reviewed a letter from Mr. Hayward dated October 11, 2017, when he laid out exactly the procedures of the Township following from the monitoring of the conservation easements. What the committee agreed these procedures are in place. The committee also discussed as Isiah mentioned, whether staff employees could be utilized and again the subcommittee agreed that the ordinance requires the Conservancy or other experienced and qualified individuals to establish procedures that I mentioned to be found in place. We discussed the question of who should conduct the annual monitoring and again review the qualifications of the two staff members who did this work last year. Lastly, we discuss the responsibility that the Township Board t provide oversight for the PDR program and that's the basis for the comment that Isiah made that the recommendation is to have a two tier and I will just now summarize quickly the recommendation from our committee. We found that the Township has established procedures in accordance with Ordinance twenty-three. The subcommittee recommends the township utilizes existing staff to conduct the annual monitoring. The compensation paid to these employees should be based upon completion of the monitoring report for each property reviewed and the amount of compensation for each parcel should be based on the complexity of the conservation easement and the task required for the onsite visit and the analysis and preparation of the report. Lastly the recommendation of the Township hire a third party to conduct the annual audit of the annual monitoring and that the third party in particular would.....excuse me a second. We discuss the use of the Grand Traverse Conservancy; Networks Northwest has two firms that might be qualified. Other third parties may also be qualified. Committee recommend that the Township select for audit on a special basis any easement held by one, a Township Board member or two a member a PDR selection committee, three a member of a Township commission or committee whom may have a conflict of interest, a Township employee or a property owner who has made a change in the easement property during the review period. This would include change in ownership, application for a land use permit or special use permit or a violation of the ordinance and again those five items that I've identified would be identified through the boots on the ground the actual monitoring and the review of documents in the office and a special emphasis to be placed and identified for review by this audit group on those five groups of individuals. You have the report I'll stop at that but that is really what we found, we found that the procedures are in place, we found that the adoption of what I would call a two-tier system where we could use existing qualified staff and employees and resources in the office for conducting the field monitoring but In my view and I think I will speak for my two associates we really thought this idea of a third-party oversight, it would cost money but again as a member of the audience has discussed tonight there's a lot of money going into this program. We have a tremendous amount of number one the asset and also a trust place in government for running this PDR program.

Rob: Did you discuss the payment per parcel what this would compare with the other two?

Dave: Yes Rob, the compensation to the staff members would be based upon first of all the completion of the monitoring report for each parcel so it would be on the basis of each parcel. The amount of compensation we recommend be based upon the complexity of the easement and the task or the effort required for the onsite visit, analysis and preparation of the report in effect it would be pricing on a per monitored easement property separately.

Marge: Parcel by parcel.

Dave: Right, parcel by parcel.

Rob: But how do we know what the payment would be?

Dave: We didn't discuss dollars and cents.

Rob: As I can see.

Greg: So, can I just get some clarification, I am a little confused does your report then make it that you are expanding the job duties or suggesting the job duties or any of the job duties of staff employees to do this job and that they would be either compensation in addition they receive would be how to figure out the complexity?

Isiah: Yah, I think what we're basically like to do is look at structure in a way that it's understood as the annual compensation for an annual job.

Greg: As part of their staff duties?

Dave: No.

Several of the Board members speaking at one time.

Marge: No.

Dave: From the stand point of labor law these employees are now paid on a salary basis.

Greg: I understand.

Dave: The concept here is to pay on a piece meal or per job basis which again is a part of labor law as you know so that there would be a price set that we may for example have three categories of PDR easements, mine is very simple it's only a five-acre parcel but some are more complicated perhaps so there can be the complex ones, the middle of the road, and the easy ones and agreed upon a certain amount of money represented on the effort required for the simple one and more compensation for the more complex and they would be paid on a per piece meal basis.

Greg: But from a law perspective the compensation for staff members who are going to do this is going to be a salary plus piece meal basis for this additional work.

Isiah: Correct.

- Marge: Correct, supplemental, supplemental.
- Brad: So if I listen correctly Mr. Meihn and Mr. Sanger to what you're saying is that the two staff members the study stays or shows that to continue forward doing their monitoring on a piece by piece or excuse me, PDR by PDR. Project, Fee's, Rates, and payment to be established and then have a third party either Networks Northwest or the Conservancy come in and do a general audit of the work that's been completed or when it is all completed. When do they come in?
- Dave: I would assume that this work has to be done at the end of the year I would assume we would then engage the audit to take place as quickly thereafter, yes we did talk about that.
- Marge: Similar to an audit that we have with our financial records, we're going on forward no matter who the employees, or the board, or any of the commissions that we would have a safe guard for a third-party audit of this PDR program.
- Isiah: Right, I guess the concern that we had discussed during our committee meeting was that as we move into second or third generations on a lot of these easements, and the initial implantation easement gets to be further back in the rear view mirror and as we have turnover of staff and boards, a lot of the issues that arise with easements likely to be either of function of mistakes by staff or mistakes by boards. So, it would be prudent to have an outside third party that reviews the easements because it's an inherent conflict so we feel that our staff, present conflicts aside, we feel that the staff and board are actually quite strong right now we just probably want to work on putting better processes in place to ensure the integrity of the program on a longer term basis.
- Marge: We also felt that with the new technology that the board agreed to at the last meeting that staff would be able to utilize Township assets in this pictograph.
- Brad: PICTOMETRY.
- Rob: PICTOMETRY
- Marge: PICTOMETRY and they would be the only ones in the area that would have that tool and so, we felt that it would be good for staff to do the leg work in this area of the PDR monitoring to reduce costs overall but yet have the protection of the independent oversight in the audit.
- Joanne: I think that your recommendations that the subcommittee put together are very well taken well thought out. However there's one huge component that I think was perhaps was not discussed or clearly thought though and that is the monitoring documentation and this monitoring documentation that's put out by the NRCS assumes that the staff members can recognize the following; conservation easement violations, areas of concern, changes in land use and impervious surfaces or boundaries, sheet erosion, erosion from concentrated flow, run off from heavy use areas, conditions of water ways, whether their over oligotrophic or eutrophic oligotrophic diversions and whether or not their working. Riparian areas and whether or not the boundaries are being violated. All of those are characteristics that whoever is doing the field monitoring needs to have in my mind because if you go to the easement monitoring report, and you simply go back down through the different questions that are asked of the monitors, all of them have those terms and characteristics in them. You have to understand what sheet erosion is, you

have to understand when a waterway is moving from a state of oligotrophic or low nutrient concentrations or eutrophic or it's filling itself in because of fertilizer and other things getting into the waterway. Diversions and how they have an impact on the fish, riparian areas and where the boundaries of a wetland begins and ends. Those are qualities that the monitors need to have and that I don't think right now our staff have now if I'm wrong that's fine. I will, I will stand corrected and extend an apology to our staff but I don't think they have the training to do that kind of monitoring and I do have a problem with that.

Dave: I wouldn't disagree with you but however, the ordinance requires that we adhere to the procedures established by the land trust standards and procedures, you're looking at a whole and that's in the ordinance. We looked at the 2017 revision of the land trust standards and it's against those standards that we do have a check list that has been used for years.

Joanne: And that checklist does include these qualities and characteristics.

Dave: It does or does not.

Joanne: I believe it is.

Dave: The checklist supplied by Mr. Hayward does not go into that depth, that's why we believe this task is in two parts. There's a lot of time consumed in going out and visiting these properties, and gathering basic data. Capturing the data and doing a first level analysis. That's why we recommend that a qualified we recited the Land Conservancy, Networks Northwest or perhaps this one individual who responded to basically do what Marge has referred to as an audit I would do it like a financial audit.

Rob: I think what Joanne was referring to the NRCS that was Federal money from the Farm Bill. We had two easements with that we have a couple with the State PDR money and we have American Farm Land Trust so I think that's why Gordon was mentioning all the ones. On those specific two parcels or one when that money was used, that may be the credentials for that one.

Joanne: But according to his memo, dated September the 20th, 2018. This is PDR monitoring reports for Michigan and Federal participating conservation easements and he then goes on to provide this information which has all of those characteristics in it. If someone doesn't recognize what sheet erosion is it's not going to help having them audit on that site because they won't catch it, they won't see it, they won't understand it and that's why you have to have qualified people do this. It's not something you roll of a log and hope you're going to be accurate in assessing this kind of stuff. It takes training to find this stuff and make sure that it's addressed and mitigated before it becomes a problem.

Marge: And that is why we set that second level where we have the experts who specifically look at these problem parcels and then they are the ones that would have the additional expertise to look in depth at what you're talking about.

Joanne: But if you're.

Marge: We don't need them for the normal.

Rob: I will let you talk after.

Marge: five parcel, five acre parcel we need someone who has the Townships assets for technology, the knowledge of the parcels who can do the labor the leg work at a normal reasonable rate and then have the experts who are independent look in depth at those additional parcels.

Greg: Could you hold your comment Joanne so we can change the tape or change the whatever this is the box?

Joanne: (gives an acknowledgement).

Laughter

Rob: We will take a couple minute recess here while we change the tape. Okay we're back on. I agree with. Guys, thank you. I agree with the committee's report and the common-sense approach is every day, we have say we have eight thousand acres on the peninsula six thousand of it plus or minus is under some conservation easement. Every time a guy comes in for a pole building or something these three people with Randy, Christina, and Sally, review that. They review the ordinances they talk with people, they have the institutional knowledge of these over the years going through them. The monitoring process basically there's a photograph of the day the easement was done and then you go and drive the area with the person if you see erosion those are thing you bring up and that would be in the report to come back. These aren't the decision makers there are people who go out to actually review the site and then they bring the information back to the Town Board and if there's a violation then we move forward with it. We figured that there would be violations that's why we built a \$40,000-\$50,000 a fund in the development right for enforcements and usually as they go through the different phases of families some people may not be as enthusiastic as on the easement as their parents were and they want to fight it or the grandchild or something so we have that built in. What we're doing is monitoring and I feel that they are the people that are doing it on a daily basis they would logically be the ones but without a number I don't know how we can vote without on it but without a.

Brad: Compensation.

Rob: Compensation how do we, how do we do that?

Isiah: I would say not to exceed five thousand dollars total and I would suggest that we do it on a piece meal basis or a flat rate for sake the deal is that it's all about would that be acceptable legally would it be acceptable...

Greg: The easier way to do it is to expand the job description and increase their salary to reflect that.

Isiah: Yeah.

Greg: With an agreement that says the extent of withholding from them this amount would be held back from them if for some reason and try to figure out the complexity of one conservation easement over another or to the extent to what the Clerk has called out to whatever the issues. It's far easier to do that and it's more reflective of what they're doing.

Isiah: How would we manage the balance of work between these two staff people that Christina and Sally would be able to make that assessment would you guys be able to make that assessment?

Joanne: I recommend this go back to the subcommittee so that they could work out some of those details.

Marge: I think we've waited we've pushed this far too long we've got to make a decision.

Dave: I would say Isiah that they both report to the supervisor and the work is managed by the supervisor in those departments.

Greg: And know that fabricating the work inappropriately will result in disciplinary action or termination. I think that's just the proper way to deal with that and if the work doesn't get done in a timely matter then that work gets removed you know it's like any employee.

Isaiah: So, what we would be doing is authorizing the supervisor to reach the conversation of the planner and the assessor and ask him not to exceed five thousand dollars.

Marge: Zoning Administrator

Brad: That's what we did last year I believe we increased their compensation to reflect what they did last year.

Marge: It was an independent contractor.

Rob: But it was five thousand dollar contract.

Brad: I understand.

Marge: It was also granted early in the year so they're not going to have to be pushed. I think we.

Marge and Joanne begin speaking at same time.

Joanne: No, it wasn't, it was at the same time we discussed it this year.

Brad: It was June?

Marge: It was June.

Brad: Okay.

Rob: Well what we have to do, were required to do this annually and it's better to do them without the snow to get moving and Sally, your involved in this so.

Sally: I would just recommend that we take a brief time to go back to the committee to see if we can reevaluate the terms and the time frame. Speed being of the essence so that you guys can ultimately make a decision versus trying to maneuver around information you don't know at this time so that would be my recommendation, I don't know if Christina agrees with that but I think more work needs to be done with the two potential candidates on the subcommittee.

- Marge: Is it possible to move that we go with the plan from the subcommittee with the Supervisor to negotiate an amount?
- Rob: I would feel more comfortable with you three negotiating it.
- Marge: Okay it would have to be done tomorrow or Wednesday or Thursday.
- Isiah: Okay, well let's let the Board approve not to exceed an amount for us not to delegate, delegate the project to the committee to take care of it but make sure that we have funding approved and we will just deal with it as the three of us so that we don't have to have another meeting.
- Joanne: I think we are missing the point that we have got to ask whether or not our two staff people are qualified to do the field monitoring that's required in this work and identifying the variables that have been an intraocular part of protecting the natural resource space of the community. I don't have a problem with Ms. Deeren and Ms. Akerley doing the upfront pulling the documents, pulling the aerials, pulling the photographs maybe that in and of itself is worth the five thousand dollars. I would think that it would be a lot of work just to keep those records straight but I really think that the people that are going to be doing the compliance have to be able to have the skills to recognize when a problem is existing or a potential situation is occurring to cause the types of degradation that we're dealing with that we hope to prevent in these conservation easements so I think the two-tier idea is very good, I would reshape it a little bit to actually allow to work to the strengths of everybody who is involved here in terms of the monitoring but I think that we really need to be very committed to this whole idea of compliance by both the Township and the applicant in their conservation easements and all dimensions of land use management.
- Rob: Adding to that point the Conservancy did volunteer to do half a day training to. They send their people out and if there are any changes in the law and how to do this. It brings up an interesting point of the five thousand dollars, the biggest thing is whoever you hire they're going to be in with those people's office asking them where the place is, will you pull the overhead the fly over you know there's a.
- Joanne: What permits have been issued and all of those kinds of things so.
- Rob: And so through the conversation and then they will actually have to be what we've done before when we brought someone in then they have to review them all to find out if there's any if the guy was even on the right place you know everybody isn't a GPS well you get go to Shii-take Trail where Gordon lives you're in my garage so the technology is everything you think but an interesting proposal may be thinking out loud compensate Sally and Christina for the ground work in putting it all together and then hiring an individual to go out, bird dog it, come back in, and implement that information. I don't know just thinking out loud.
- Brad: I say we throw it back to the subcommittee, I think they gathered enough input from everybody on this Board there seems to be a general consensus, if I'm wrong then correct me Board members, that the two-tier approach seems to be a reasonable approach that may not be the only one. We do not know what the compensation should be but that's an issue for discussion. We also have heard that it may be reasonable to have Sally and Christina do the ground work the pulling and be compensated for the

time spent, that's one option. So, I'm going to recommend to that we send it back to the subcommittee we've done a great job of trying to define this but now the next step is what does this look like and what can we live with.

Rob: And we have to do this in a very quick fashion, Marge go ahead.

Marge: I think five thousand dollars is too little for what's going to have to happen quickly right now, I think the Board needs to give us an amount greater than five thousand dollars to negotiate with Christina and Sally and when we talked at our meeting, we knew that once we had the two of them working on the field work it would give us the Board an opportunity to negotiate the audit work with the third party independent because they don't have to be on the ground tomorrow or next week or whatever. Dave Edmondson had a very strong comment about how he didn't want anybody on his property on Saturday or Sunday, well that leaves off Kevin Krogollicky because in his statement he said the majority of the site assessments would take place between 9 a.m. and 9 p.m. Saturdays and Sundays throughout the defined assessment period so that just leaves us.

Joanne: Well that's not true because minority he didn't say all of it but the minority of his time could be done after work.

Marge: Okay I think if we can meet tomorrow or Thursday those are the only two days left for me but I think the Board needs to give us a lee way to negotiate with Christina and Sally on what they feel their additional compensation needs to be.

Greg: Can I help you in this regard. Here's what I would suggest I would suggest that the Board make a motion to set the structure up for Sally and Christina's job descriptions be expanded and that the duties of accumulating this information and whatever it is the language, that's not my area so I apologize but whatever it is that (unclear) be approved, and that there be a meeting with the committee to determine what that time compensation amount would be. That would be one motion and the second motion would be for there to be that second tier whether that second tier go off and run with it as Rob described or an audit but that we would be looking for that person and then I think then the committee would then be charged with contacting these two individuals the Conservancy and the other to see.

Marge: Or somebody else.

Greg: Or somebody else to see what would be the cost or the price would be for them to take it from that prospective but I think getting Sally and Christina working on it and under their employment agreement now is important and then that second phase can be attached so those were the two motions that I think can resolve the issue quickly and all of your objections and concerns raised by everyone and Mr. Edmondson.

Laughter

Rob: What's the pleasure of the Board?

Dave: I will move for the following if I can please.

Brad" Thank you.

Dave: That for the job descriptions for Miss Akerley and Miss Deeren be expanded to include onsite monitoring of the PDR contracts with the Township and that the committee meet with these two individuals to establish compensation package.

Brad: Second,

Rob: Alright, we have a motion by Sanger support by Bickle, further discussion? Do we need to roll call that?

Greg: I would please.

Joanne: Dave?

Dave: Yes.

Joanne: Brad?

Brad: Yes.

Joanne: Rob?

Rob: Yes.

Joanne: Myself, Yes.

Joanne: Marge?

Marge: Yes.

Joanne: Isiah?

Isiah: Yes.

Rob: Now you can build that second tier.

Dave: I would move that the subcommittee identify the requirements for a high-level audit of the PDR conservation easements, identify qualified individuals and report back to the Township Board with findings.

Brad: I second Mr. Sanger's motion.

Rob: Are we going to add the people that are elected to be in that you put in the committee's or is that in something else?

Dave: I don't follow.

Rob: Never mind.

Dave: Okay.

Rob: We have a motion and support.

Dave: Did I miss something?

Rob: Further discussion?

Brad: No.

Rob: Roll call please Joanne.

Joanne: Brad?

Brad: Yes.

Joanne: Rob?

Rob: Yes.

Joanne: Myself, yes. Marge?

Marge: Yes.

Joanne: Isiah?

Isiah: Yes.

Joanne: Dave?

Dave: Yes.

Rob: Okay, discuss Gordon Hayward contract. Gordon Hayward Planner for twenty years has been coming in helping us from time to time as we lost people through the transition. We have met and basically would like to talk about offering a contract that I believe to Mr. Hayward that on call form the Supervisor he could work up to eight hours a week and not more than sixteen hours a week.

Joanne: Or pay period.

Rob: I'm sorry per pay period, thank you Joanne, per pay period at his normal rate is what I believe we've been paying him is that correct?

Joanne: I believe so.

Rob: So we've been without a contract all of a sudden people have been coming in using him. Joanne came down to my office he had sixty-five hours in I've approved maybe I don't know maybe a couple of those so we have to get more stringent to keep a handle on it but for instance, we have this is where we used him this week as a good example, we had people come in from a subdivision built fourteen years ago, who are contesting that the second course of asphalt was never put on their road so those are kind of the deep dives we give Gordon to go into to that subdivision pull out all the information, meet with the people, and try to resolve the situation. So what we are trying to do is Gordon's.

Brad: I was downstairs

Rob: Okay, again, not to exceed eight hours a week, sixteen hours in a pay period and payed as staff wages and under direct supervision of the Supervisor for approval for the project.

Marge: Is this going to be an independent contractor status like the Enforcement Officer was before where time is billed to the Township and invoiced and he would be responsible for his own insurance.

Greg: Yeah, I would strongly suggest you make him a part time employee and take taxes out or make him a formal former formal structured agreement where he is responsible for his taxes, he's responsible for his own expenses incurred in doing the job and on top of that he is open to accept any and all other employment with any all other entities, companies and municipalities and that we are basically providing him as needed space to operate and I again I would also have a fixed charge of approximately ten dollars a month for the space that he would use here for that. (remainder of statement is unclear).

Joanne: That would include Liability Insurance?

Greg: Absolutely so in other words you would pay him you would factor in the ten dollars per month and factor it into the way he's getting paid.

Marge: And he would be immediately removed from the payroll?

Greg: Yes.

Brad: So, it would be like a 1099 contract like our Code Enforcement Officer is obligated to submit and invoice in detail, dates, hours, times I think that's.

Marge: And who requested the work and who is to be charged with it expense.

Greg: Another thing that is important is we are not going to dictate the time, date, and places he does his work but he's limited to the amount of work so if he wants to come in at one in the morning and do it or if he does it at home he has a home office those are the elements that are necessary to withstand both IRS, Department of Labor.

Rob: Okay. Are we all in consensus?

Joanne: I would just like to remind the Board that in the case of Mr. Hayward we continually advanced his affiliation with the Township as certain types of Planner, Archival Planner and Assistant Planner and all sorts of different job description type rolls but the idea when we hired him initially was really a temporary fix to our planning situation and we also told our current Planner that we would hire a half time or part time and maybe even a full-time Assistant Planner and we haven't done that yet so we continually advance our arrangement with Mr. Hayward. Not that I don't think it's valuable but at some point, we are failing to do what we said we were going to do with our existing Planner and I think this individual really needs to have the opportunity to build his office and move it forward. Without a lot of additional conflict or confusion on who's going to do what on a particular project.

Rob: Well Gordon is usually in a lawsuit he's the deep dive to go into the archives in the basement and pull it out. Randy in recent conversation wants to hold off on that guy, the other guy right now but I think he needs to tell you that that's all I am saying but I do have a motion to authorize Mr. Mein to draft up a document for Gordon as presented.

Brad: I make a motion that Township Counsel Mr. Mein draft a document that's applicable and appropriate for contract labor of Gordon Hayward not to exceed eight hours a week or sixteen hours accumulative for two weeks, that is my motion.

Isiah: I would support as a point of somewhat germane discussion I would just like to point out that if we are hiring an Assistant Planner it may or may not be a man or a woman. Just to protect us in the future.

Rob: Alright we have a motion, support, further discussion?

Brad: None.

Joanne: Who seconded that?

Isiah: I did.

Brad: Isiah did.

Joanne: Oh.

Rob: Bickle, Wunsch. Why don't we roll call that Joanne.

Joanne: Okay, Rob?

Rob: Yeah.

Joanne: Myself, yes, Marge?

Marge: Yes.

Joanne: Isiah?

Isiah: Yes.

Joanne: Dave?

Dave: Yes.

Joanne: Brad?

Brad: Yes.

Rob: Okay, thank you. Under new business, Fred would you wanna come up?

Fred: Good evening, I just wanted to make one comment publically I know that most of you know we've went ALS as of October, 1st. I just want to get it on the public record so everyone watching knows it as well. Once again I appreciate my guys' hard work to get

us to this point and I appreciate the support of the board to give me the tools to do that so we're rolling. Before you I'm seeking or requesting replacement of two pickup trucks and asking that we go out to bid for a replacement fire Engine. Would want me to just go over each one? Is that how you like it?

Rob: Sure

Fred: Alright, we'll start out with the Chief's vehicle, currently it's a 2005 Chevrolet. It's got, it's a Silverado it's got over 120,000 miles on it the main reason we are looking at replacing this vehicle is obviously for responding to emergency calls. With this we can also see a reduction in maintenance cost the vehicle currently has quite a few issues as far as rust, floor boards are gone I believe there was vinyl there or my feet would go right through so the new truck obviously the reliability, increased cab space for potential EMS and fire equipment. It's going to be a smaller vehicle so there's gonna be a reduce in cost as far as fuel cost current the truck I am driving gets about ten miles to the gallon. I believe the new one will be somewhere in the range of eighteen to twenty so there would be a savings there. The ability to get into fires that are hard to access, we have a lot of roads that are winding and turny and tight two tracks things of that nature. A newer I've taken the current truck in there I've gotten stuck but not that a new one is going to take care of that but I think that there is a lot more liability and I think that putting more money into this vehicle is frugal, it's not going to make the vehicle last any longer and were not going to get anything out of it so. I did some research and I went through a state bidding process which allows us to go right to that dealership, order the vehicle and we don't have to send it out and get three bids. The State has already recognized it as a bidding the State bidding you know they've won the bid for that dealership. So the vehicle I'm looking at is a 2019 Silverado 1500 which is downsize from what I current drive. The cost for this vehicle is roughly thirty-four thousand dollars and it can be paid over annual payments however we decide to do it, I'll get with the treasurer and we will go through that process. It can be weighed out or lengthened out as a lease it's called a lease.

Brad: It's a capitalization loan.

Fred: Correct. So at the end of the lease basically we give them a dollar and we own the vehicle. I see a potential for selling the vehicle that I currently have from Kelly bluebook for thirty-five hundred to seven thousand I think that's on the high side, realistically I think we are looking between two and three thousand dollars. That's about all I have on that vehicle do we want how do you want to do this? Do you want to approve each?

Brad: Do we have to approve each or do you want him to present both trucks or talk about the each?

Rob: (Makes a comment that is unclear).

Joanne: Present both trucks.

Fred: Present both trucks.

Joanne: Yeah.

Fred: Okay.

Board members are chatting amongst themselves.

Brad: Put the other one in and let's talk through it. Go ahead.

Fred: Just to note the quote that that thirty-four thousand that entails the vehicle itself and that also entails all the emergency lighting that goes with the vehicle.

Brad: So a package basically.

Fred: Yeah, yes it is in the package so that in itself is roughly between thirty-five hundred to four thousand dollars so when we get the vehicle the only thing we'll have to do is take the radio that's currently in my truck and place it in that vehicle which I have a guy on staff that has that ability so that will be a minimum cost and then have the truck reflect the Peninsula Township the signage and things of that nature on the vehicle. So that's the first vehicle, sorry as you can see the packet was quite thick. The second one is our 2006 GMC 2500 Sierra plow truck that has 140,000 miles on it. List of the reasons once again reliability, this truck this truck does a lot of work for us it's a plow truck we rely on it heavily especially since we have to clean the parking lots at fire stations plus the guys do the for plowing the parking lots here at the Township. We did have an issue with it last year where we had an issue with the plow we had to seek other sources. We also had the incident in the early spring there around April where we had the flooding down by Swany, Swany Road is that right?

Rob: (Makes a comment unclear).

Fred: Swany Road where we had some residents who were after the snow storm we had to be plow out to get them out to get their vehicle out because water was flowing into their house. Luckily there was a contractor nearby our truck wouldn't have been able to do it. This is a bigger truck that was able to do it and we were able to get the people out so that's a big thing there. Both these vehicles updated safety standards obviously you know as technology, and manufacturing of vehicles they become stronger there safer to operate and we want to put our guys in safe vehicles. Once again the reduction in maintenance cost this vehicle that I'm looking to replace it with is a F-350 Ford, it's a one-ton truck so it's gonna give us the ability to do multi things, multiple things I should say. If for some reason the big truck we have that hauls our boat our big boat is unable to do it or has malfunction we have secondary means to haul that big boat. The other thing is down the road I potentially look at creating a multi-use vehicle to where we can put a slide in pump unit in the rear of this truck and consider it a brush truck during the summer months. To get into some tighter spaces once again it increase pay load it's positive public image you know the truck looks good and it's gonna have the signage on their people are going to know it's Peninsula Township Fire Department. Once again reduce cost and fuel. This truck to replace it comes in at about forty-two thousand dollars. Once again it is a municipal lease over 3, 4, 5 years however we determine we

want to do it and we can buy out at any time or pay it off at any time so if we have excess funds or whatever and want to pay the truck off there is no penalty for that. Once again at the end of the lease we pay them a dollar and it's ours. That price that you're looking at that forty-two thousand dollars includes the snow plow a brand new snow plow, the attachments and controls all that plus the emergency lighting. So that's the second one I think we can get a motion on them or I know Brad's did some research to look at the comparables as far as the money.

Brad: Yes.

Fred: For saving so I'll let him speak.

Brad: I'm going to encourage our board to support the request of the Chief for the vehicles as specified and presented here but I want to give you some additional conversation I had with our Trustee Sanger who also comes from an automotive world also spent a good deal of time on the Fire Board and I will take the words out of your mouth Mr. Sanger but the Federal Agency that Chief Glistorff went through its fixed is essentially fixed pricing you can't get any low ride I believe is the correct way to say it, and it's heavily negotiated. I think for the knowledge of the residents and the Board, I know when I tried to look at an F-350 pickup truck you're looking at sixty or seventy-thousand dollars before you put the plow on it and the same with the Chevrolet so I'm you know me I'm never have any money but I'm going to tell you right now I feel satisfied that Fred did look into some things Trustee Sanger concurs with what's in front of us, is that correct Dave?

Dave: Yes, Sir.

Brad: So, I would recommend the Board support this request from the Chief.

Joanne: I second that.

Rob: Alright.

Joanne: Was that a motion?

Brad: I think that it is my motion to the Board is that we support the request of the Chief for these two vehicles as presented and as specified.

Rob: Motion and.

Isiah: I just have a question.

Rob: Support and discussion.

Isiah: Discussion, what kind of term are we looking at?

Brad: So, what they're gonna do is there going to give us the option to do one annual payment for several years and then pay it down. It's a capitalization lease. We can take a look at if we want to pay it off right away but remember we gotta put this through the fire budget so that's why we are going to the terms are on the sheets, I'm not sure if you have a chance to look at them or not.

Isiah: Yeah.

Brad: That that's directional.

Sanger: And I asked the Chief today and he confirmed that this could be contained in this year's budget and it can be contained in future year budgets at the current two mill and he explained to the Chief that I see the decision he can look and see where he is he explained to me that the ALS recovery building is bringing in far more dollars than it did before and we've partnered up with the North Flight. So therefore, he can look at his budget and confirm with the Treasurer again before this meeting that in a given year if there is a surplus in the fire income verse expenses that carries over to the next year. So bottom line I see this as no tax increase program.

Isiah: Right.

Dave: And the Chief will have to decide as he manages his department. Does he pay 100% this year and pay it off

Isiah: So we'll.

Dave: Or does he lease it out.

Isiah: So, we'll approve to spend and the payoff terms will be negotiated through the fire budget as for the Fire Department?

Rob: Correct.

Isiah: So it make sense. I just wasn't sure if we need another

Brad: That's why I referenced the documentation.

Isiah: Right.

Brad: As presented.

Isiah: Yep.

Brad: Which includes one of the financing options in the general charter so that covers everything.

Isiah: Okay just wanted to clarify.

Rob: Alright any further discussion? Roll calls please Joanne.

Joanne: Marge?

Marge: Yes.

Joanne: Isiah?

Isiah: Yes.

Joanne: Dave?

Dave: Yes.

Joanne: Brad?

Brad: Yes.

Joanne: Rob?

Rob: Yep.

Joanne: Myself, yes.

Rob: Alright.

Fred: Okay, thank you for that, now to the big one.

Brad: Now I'm done, I've spent go sit down.

Fred: Okay.

Brad: Sorry.

Fred: Always.

Rob: Come on keep it rolling.

Fred: I'm just going to start walking around like that. The next one I'm asking you to go up to bid for the replacement of engine one, which is currently housed in our south end station. This truck is a 1994 Sub Fin Engine, and we've had some issues with it this year. It didn't pass the pump test and it's only it was only pumping at 75% capacity which is still efficient enough to keep it in service but we're potentially looking at some more maintenance of it to keep it going. Basically bottom line is it's a 25-year-old truck. They do ware down whether they sit in the barn or if they're out running all the time they do wear down so the list of reasons I have for this is is once again reliability responding to

emergency calls. Last thing I want to have happen is my guys get in the truck and it doesn't fire up to go. That's the last thing I want to have happen and I'm sure you concur with that so. We're replacing a twenty-four year old engine and NFAP-1901 suggest that we spend somewhere in the range of 15 to 20 years. Obviously, that depends on the other authority having jurisdiction and how the upkeep of the vehicle is which I assure you we are addressing maintenance issues within our department to help prolong the life of the apparatus the new technology that is in the truck better lighting, seating lighting, the safety of the guys in in the crush standards for the cab and all the other stuff. A decrease in maintenance cost we will see that over the last the last two years as I've seen the budget. We've spent over forty thousand dollars for maintenance in these vehicles and that's a lot of money that could be going elsewhere to provide a higher quality of service for the residents. This new truck will bring us in compliance with the current standards of NFAP of 1901 standards and greater ability to access difficult areas. The truck that we have planned out was brought up here, we drove it around a lot of the switchback driveways and steep driveways things of that nature to make sure it would be able to navigate and have enough horse power to get up and down these hills which it did. Also, in this bid we are looking at replacing our jaws equipment, our jaws of life which our tools we use to get people out of vehicle crashes. Currently we have a power unit based set up that its older it doesn't have the capabilities to deal with the new construction on the newer vehicles. The Lexis is these the higher end Land Rover and things of that nature you know when people hit things these vehicles are very, very strong and it takes a lot of strength for the hydraulic tools the cutters to be able to sheer that in order to get the people out okay so we are proposing that in there as well. It's a full set, a stuffer, and cutter, and a ram. I won't go into great detail on that but it is battery operated just like your battery operated screw gun and whatever so basically the guys get off the truck they grab it and go they don't have to stay there and hook up hoses and all these other things they can just grab it and start working to get that person out of the vehicle. Also included is 1000 feet of 5 inch supply hose which going through our hose testing recently over the last two years we've lost last year I think it was 7% of our overall hose and this year we lost a couple more of the larger hose so we need to start replacing it and this is a good way to do it. I'm asking for a couple components on this truck, a lot of departments will usually outfit the whole thing but I'm not doing that I'm moving equipment from the truck we will take out of service in order to put it on this truck. The truck will house more equipment safely and it has more compartment space and it has the ability to do increase our ISO rate which I am going to discuss here in a minute but having that truck having a higher capability with it is going to potentially help us with that so tonight I, I have the specifications of the truck we know we want to buy. It's going to be under five hundred thousand so I'm asking you tonight to approve the start of the bidding process, basically the bidding process will be I will sit down with the Clerk we will go probably three weeks so I'll be sending this stuff out tomorrow or the next day so probably two weeks the following Friday, we're not open on Friday so it will have to be Thursday at five o'clock we'll set a date to where I'll send the information out to different dealers and they'll have that two to three week time period to send it back, and then I will come back to you with the recommendation and approval so we can start the process of bidding this truck out. It could take up to six months. There is a potential because it is a common type of truck that we potentially could get one earlier because it's kind of a chase so to speak there's not much altercations to it so.

Rob: So Fred what your asking is to go out for bid and bring the bids back to us in probably a month?

Fred: Yeah, the bids will come back we will go through them and make sure they match what we are looking for and then I will come back to you and ask for approval. In the packet I also showed you some leasing options with that as well saying the same type of situation that we are talking about with the pickup trucks.

Rob: What's the pleasure of the Board to go out for bids?

Dave: I began this process in 2010 when I was appointed for Fire Board Rob, you that well and pleaded with the Board every year that I was on Fire Board does anybody here drive a twenty-five year old car on a regular basis? No.

Several Board members raise hands. Laughter.

Dave: I don't mean one that is insured by Hagerty. My point is this decision is long overdue and we need to get on with this.

Brad: Well you are familiar with this apparatus and just so your experience and knowledge. I remember I saw some of the depreciation this things been depreciated expendently, so I would concur with Trustee Sanger and support of the request of the Chief to provide bids for the Town Board to consider this new engine.

Joanne: I second that.

Rob: We have a motion, Bickle support Westphal to go out for bids, see where we are.

Dave: I would add to if I can Rob that for my fellow members that I discussed with Chief today in this item he plans to contain within is mileage based budget.

Brad: Yes, because we go to 1.4 as the board may remember. We go to 1.4 this December which will bring in another four hundred thousand dollars not that we are going to spend that money like drunken prates right Chief but we're going to make sure we use these revenues for all the necessary programs that have been identified and comply and contribute to some of the funding these products.

Rob: Alright roll call please Joanne.

Joanne: Isiah?

Isiah: Yes.

Joanne: Dave?

Dave: Yes.

Joanne: Brad?

Brad: Yes.

Joanne: Rob?

Rob: Yeah.

Joanne: Myself, Yes. Marge?

Marge: Yes.

Rob: Ok, ISO.

Fred: Alright, I was contacted a few weeks ago from the insurance service office which is basically the office that comes around evaluates all the local Fire Departments and puts a rating on them which then in term determines how much you pay in insurance for your residential, your business, farms, things of that nature. They do this on a regular basis looking through the department records I found that we had done it in 2012 however we had asked the Township Board that approved a similar person to what I'm asking for tonight in 2014 but we never have gotten an evaluation done so this is very important. We've made some serious strides as far as improving our department in man power and opening up the south station and doing more training, things of that nature. All these things are relevant to the grading. The big thing that the National Fire Services office which is the company I'm asking you to approve tonight a contract with them. The big thing that they are going to do is they are going to do an evaluation of the base. As he put it to me, if he can get the base to show up, they're going to do 50 year drop study. I he can show that water is going to constantly be there and the capabilities that we have as a Fire Department, we can basically take different spots along the shoreline and basically turn them into hydrant areas even though they are not hydrants okay because we have the capability to push the water out large amounts of water out with a single fire engine so that in term helps your ISO rating currently the Township is rated a five down where the hydrants are, a seven all the way in the middle, and then when you get five miles out from station one it goes to a ten because you're over the five miles. Rob, I know you're aware of that you were here when they went through that so the goal, my goal is to get this number down as far as we can. This company comes highly recommended from the Long Lake Township Fire Department who just went through the evaluation with him. He has helped reduce them from a six to a four, and also Green Lake Township which went from an eight to a four which is a huge jump okay and we have way more water available and closer than either one of them Townships so I'm suspecting we can decrease our number which will benefit everybody. We're looking at an agreement here that basically is going to be for seven months. He'll come in and he'll evaluate everything on our department, this will also help with projecting what we are going to do down the road as far as our long-term plans, he'll make recommendations and things like that. We are going to do the work basically he's gonna do the, his big thing is going to be the lake study that's the most costly piece of this puzzle is doing that,

that whole thing. So he'll sit down, he'll be here once a month he said. He'll come in go over different aspects of our department, help us tighten things up, help us get moving down the road to where the next time this comes around we will be situated and we won't need somebody else's help. I personally have not done this in the fire service from where I came from so having this person kind of give me consult basically will be a great benefit and I know it looks like a large sum of money at twenty-thousand he will break it up to where it will be absorbed in this year's budget and next year's budget but I just think it's well worth it to get our department even going further in a positive light and show where we're still lacking so we can address them issues. You've given me the tools to do all that we've done so far and I deeply appreciate it and I'm sure the citizens appreciate it. I hear nothing but compliments about how this department is going and the positive feedback we are getting is a good thing and you should be as proud of that as I am because without you guys supporting this and giving me the tools, we're not going to be able to do it and this is just another tool that's going to help us move forward and potentially save some people some money.

Rob: This will be a direct reflection to the residents too because this is what the insurance company looks at when they bill you and your ISO rating. Basically, how quick can the Fire Department get there, how many people do they have and what's their water source.

Brad: Yeah.

Fred: I spoke with Mr. Meihn he's reviewed it he doesn't have an issue with it. It's a standard contract that this company uses with everybody.

Rob: What's the pleasure of the Board, we have a contract?

Marge: I think we should go forward with this contract to help the Fire Department with their ISO planning and for this consultation contract with the National Fire service office.

Joanne: I second that

Isiah: Yeah, if that's a motion on the four proposals that we've had from the Chief Gilstorff tonight I think this one is the easiest to solve for me. I think it's going to show immediate ROI to our residents.

Dave: Again, I'm sorry I can add that in my service with the Fire Board we toured the Glen Arbor Fire Department and I know that their program in utilizing Lake Michigan water for fire suppression resulted in quite a drop in the ISO rating for the residents of those two Townships and it makes sense to me to use the lake water when you can we don't have bluff's and so forth.

Brad: (Makes a comment unclear).

Rob: Okay, any further discussion.

Brad: None.

Rob: Roll calls please Joanne.

Joanne: Myself, yes. Marge?

Marge: Yes.

Joanne: Isiah?

Isiah: Yes.

Joanne: Dave?

Dave: Yes.

Joanne: Brad?

Brad: Yes.

Joanne: Rob?

Rob: Yep. Okay, the next item is closed session. Mr. Meihn is there any?

Greg: No, I don't think we need to go in close session. I think the two things I'd like to update to are not far by or needed to have the attorney client privilege stuff. So, let me start with the first of what we heard today in the Michigan Court of Appeals and as you know that after the Board had in December of last year approved itself of the nineteen conditions from the 81 the 81 wasn't pleased with that result and had filed an appeal to the Michigan Court of Appeals and had also filed a civil action and we'll talk about the ongoing civil action that is existing. About two weeks ago the attorney for the 81 John Mooheart had filed with the Court of Appeals for a motion for reversal arguing a number of different arguments that including the alleged things or claim that the Judge Power's should be recused and hoping that the Court of Appeals would immediately grant a relief and remove those provisions or conditions that we had in the agreement. We did follow response and provided the Court of Appeals with the information that Judge Power not only make a decision not to recuse himself but an independent Judge had also made that decision and we placed in front of the Court those arguments of those issues which were not appropriate and today the Court of Appeals had called and indicated that the request for regular reversal has been denied and that the appeal will proceed forward as a normal appeal at which I provided to you later in the day. It's a win another win on progressively going through the process and upholding the action of this Board and taken appropriately with regard to the 81 conditions and protection of the public. The second issue is just to give you an update. I have been tasked to engage myself in a prompt remedial action which is required by law when there has been a complaint filed by a individual who is associated with the Township and other municipalities that file complaints. As you know unfortunately our Clerk believes she was harassed by Sally

and as you are all aware Sally and Christina believe that they had been harassed. I have met with both of them to get any and all additional information they have and I met with their attorney to see if there was anything else that he wished to provide me and Joanne and I are rescheduled to meet on Friday but her calendar and work on the election prevented that we've spoken and subsequently sent a couple more emails on Monday and Tuesday and we spoke today over a little bit of a break that because of the work that she is doing I wanted to reach out to her again on Thursday morning to see what her calendar looked like so I could complete the investigation. I am ready to complete it and I don't see that any other parties are on hold with evidence or anything else so I should have that to the Board before the Special Meeting if you decide one to take it up at that point or at least at the end of October.

Rob: Okay.

Greg: Other than that those are the only two things to update you (remainder of comment is unclear).

Rob: Okay.

Greg: Thank you.

Rob: Citizens comments anybody, Mary?

Mary Swift 13596 Peninsula, I just want to clarify two points since I was mentioned specifically during your discussions. First the Clerk characterized my eight minutes as personal attacks which was her reason was for minimizing to one paragraph or four lines. It's factually inaccurate and the verbatim of my words, if they had been included would show that I specifically said that the comments were factual and not personal and I was also on record thanking the Clerk so I want to go on record and that they were not personal attacks and if the verbatim had been included that would have been clear. Second, I also want to clarify the comment about the length of time for resignations so that my intent is not misrepresented either in these proceedings or in the Record Eagle as we have a reporter here tonight. I said in the corporate world and even academia it is customary to give two weeks' notice. I wasn't talking about the CEO of a business, I certainly wasn't talking about the President of a University, I was talking about the thousands of employees who form the machine that runs the business. For example: accounting employees or development staff, etc. Those positions while performing necessary jobs don't rise to the level of months of notice. My intention or my contention is that the Clerk's position is part of the machine and clerical in nature and as such does not rise to the level of a CEO or University President.

Rob: Thank you anyone else from the public? Then we go to Board comments, I would like to go on record. We did go out for the bids for Joanne's position, I don't know if that's called a bid but the job position. We have start work down at Old Mission in the drainage district if you drive down there you will see it is being ditched out quite heavily right now and trying to move that forward. We met with the DNR this week on Kelly Park and they are committed to taking part of that drainage area out. Also, in improving it and working

with us on moving forward with the park. I think that's about it, anyone else on the Board?

Joanne: I have.

Dave: I'm sorry, go ahead.

Joanne: Go ahead Dave.

Dave: I know it's late but I want to acknowledge the hard work from the Fire Department and our Chief in particular. I have a view of the bay and I was able to see for I think for seven to eight days the rescue and then the recovery operation of the kayaker who drowned in the bay a week before last. I was at the marina the Saturday morning when a Sheriff's Deputy came in who was cold and tired and had heard high compliments about our fire boat as you know is heated it has sufficient place for probably eight or ten law enforcement, MSP Sherriff, everybody who was there and Chief I just wanted to publicly recognize you and your Department I was very proud of the Department during that recovery operation.

Rob: Okay, Joanne go ahead.

Joanne: I would just like to read a letter from my Deputy Clerk dated October the 8th, 2018; Dear Ms. Jo, I've enjoyed working with you over the past few years. I've learned a great deal in working with you. I think we were able to accomplish many things in organizing the office and making improvements. We have been a team and so with your resignation the team is breaking up. However, a new opportunity has come about for me as well, as the saying goes, and I quote, "when one door closes another opens". Due to this new opportunity I'm giving my notice that my last day will be November the 8th, 2018. I would like to thank you Jo and the Township Personnel Committee for hiring me and the chance to work and serve the residents of the Peninsula Township. Respectfully, Brenda DeKuiper, Deputy Clerk.

Rob: Thank you, any other Board comments?

Brad: None.

Rob: Then we would entertain a motion to adjourn.

Isiah: So moved.

Brad: Second.

Rob: Motion and support all those in favor signify in saying "I".

Board members all signify by saying "I".

Rob: Apposed?

Adjourned