

Town Board Special Meeting
December 17, 2018, 8am
Becky Chown, Assistant Clerk/Recorder
Joanne Westphal, Clerk/Editor

**Peninsula Township Board
Special Meeting
December 17, 2018, 8:00 a.m.
Town Hall
Minutes DRAFT**

1. **Call to Order** at 8:00 a.m. by Manigold
2. **Pledge**
3. **Roll Call** Present: Manigold, Westphal, Bickle, Achorn, Sanger, Wunsch Absent: Wahl
4. **Approve Agenda** Wunsch moved to approve the agenda; Bickle seconded. Voice vote.
Passed unam
5. **Conflict of Interest** None
6. **Business**

a. Approve selection of Alan Couture to represent the Planning Commission on the ZBA.
The Planning Commission recommended Couture to serve on the ZBA as their representative. Wunsch moved to approve. Bickle seconded the motion. Westphal noted that Couture's approval is an appropriate type of nomination because unlike the Planning Commission nominations, which are made by the Supervisor and then passed by the Town Board, in the case of a representative of the PC to the ZBA, the PC should offer the nomination to the Town Board. Wunsch and Manigold noted that the Town Board has always approved the Planning Commission's nomination in the past.

Bickle moved to select Alan Couture to represent the Planning Commission on the ZBA; Wunsch seconded. Roll call. Achorn—Yes; Westphal—Yes; Manigold—Yes; Bickle—Yes; Sanger—Yes; Wunsch—Yes
6-Yes; 0-No

b. Approve Matt Vandermey on the Fire Department as a probationary member.
Manigold reported that Fred Gilstorff, Fire Chief, has asked the Town Board to consider Matt Vandermey as a probationary member of the Fire Department. Wunsch moved to approve Matt Vandermey on the Fire Department as a probationary member; Bickle seconded. Voice vote.
Passed unam

c. Closed session pursuant to MCL 15.268(e) for discussion with Attorney Meihn representing the Township in matters relating to litigation and personnel issues
Manigold asked the Board to move to go into closed session for discussion with Attorney Meihn. Bickle moved to go into closed session. Wunsch seconded. Roll call. Manigold—Yes; Bickle—Yes; Dave—Yes; Wunsch—Yes; Achorn—Yes; Westphal—Yes

Passed unam

(Board Leaves the Room)
(Board Returns to the Room After Discussion)

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Bickle moved to go back into open session. Westphal seconded. Roll call. Sanger-Yes; Bickle-Yes; Manigold-Yes; Westphal-Yes; Achorn-Yes; Wunsch-Yes. **Passed unam**

(OPEN SESSION)

Manigold stated that the Board is prepared to make a motion relating to the terms presented in closed session relating to the “81” lawsuit as suggested by the Township Attorney Meihn.

Sanger moved to approve the resolution presented by Mr. Meihn, subject to final agreement by Mr.O’Grady and Mr. Komendera. Wunsch asked if approval was according to the agreement presented to the board this morning. Westphal added “the agreement as presented at 5:30 this morning by Mr. Komendera”. Sanger approved these amendments to his motion. Bickle seconded the motion. In the discussion that followed the motion, Westphal expressed her concern that the Board is approving something conditionally when the conditions are not finalized, and this often leads to unfavorable circumstances when we do this. Manigold stated that we are doing it on the conditions set by Komendera, and if these are not met, then the attorneys will bring them back to the Board. Westphal states that this was not a part of the motion. Wunsch suggests the Board revisit the motion.

After some discussion, Wunsch moves that following amendment “we authorize our attorneys to settle with 81, according to the terms presented to us by Attorney Meihn and subject to Mr. Komendera’s approval of the settlement proposed at 5:30 this morning”. Sanger offered a friendly amendment to Wunsch’s amendment to include “subject to Mr. O’Grady’s approval”, which was accepted by Wunsch.

The final motion read as follows. “We authorize our attorneys to settle with the 81, according to the terms presented to us by Attorney Meihn, subject to Mr. Komendera’s and Mr. O’Grady’s approval of the settlement proposed in the document sent at 5:30 this morning.” Sanger accepted the amendment to his motion. No further discussion. Roll call. Manigold –Yes; Westphal-No; Achorn-Yes; Wunsch-Yes; Bickle-Yes; Sanger-Yes **5-Yes; 1-No**

Motion passed.

7. **Adjournment** Manigold asks for a motion to adjourn. Wunsch asks if we are going to have citizen comments. Manigold said it is not on the agenda. Bickle moved to adjourn. Wunsch seconded it. Voice vote. **Passed unam**