

MINUTES

Pentwater Township Board

Regular Meeting of August 10, 2016

Members Present: Smith, Flynn, Holub, Ruggles, Siska

Members Absent: None

Others Present: Keith Edwards-ZA, Terry Cluchey-PFD, Paul Smith-PFD, Dave Spitler, Matt Holland

Call to Order: Supervisor Smith called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

Review & Action: Meeting Agenda – The agenda was approved as amended by adding an item under the "Supervisor's Report" regarding a presentation of the audit report, and the addition of Item c. under "New Business" regarding the issuance of an RFB for work at the Cemetery by unanimous consent.

Review & Action: Minutes of Regular Meeting of July 13, 2016 – The Minutes of the regular Meeting of July 13, 2016 were approved as submitted by unanimous consent.

Public Comments on Agenda Items –

Supervisor's Report –

- a. **Review & Action: March 31, 2016 Audit Report for Pentwater Township** – Supervisor Smith introduced Mr. Matt Holland from Gabridge & Co. He said that Gabridge & Co. had been selected to conduct our audit after proposals were solicited and received several months previous. Mr. Holland distributed copies of the audit and provided an overview of the audit report and answered questions from the Board members. He said that the Township was in a solid financial position and received high marks for its audit. A motion was made by Holub and seconded by Siska to accept the audit report for the year ended March 31, 2016. The motion was unanimously approved by voice vote.
- b. **Review & Action: Acceptance of Resignation from Zoning Board of Appeals** – Supervisor Smith referred members to a communication

from Dan Kelly regarding his desire to resign from the Zoning Board of Appeals. A motion was made by Smith and seconded by Holub to accept the resignation of Dan Kelly from the Zoning Board of Appeals. The motion was unanimously approved by voice vote.

- c. **Review & Action: Appointment to Zoning Board of Appeals** – Supervisor Smith made a motion to appoint Stanley Roose to the Zoning Board of Appeals to fill an unexpired three-year term expiring May 31, 2019. The motion was seconded by Flynn and unanimously approved by voice vote.
- d. **Review & Action: Acceptance of Resignation from the Board of Review** – Supervisor Smith stated that he had received a letter from Nick Kassanos submitting his resignation from the Board of Review. A motion was made by Smith and seconded by Holub to accept the resignation of Nick Kassanos from the Board of Review. The motion was unanimously approved by voice vote.
- e. **Review & Discussion: Development of a Township Purchasing Policy** – Supervisor Smith stated that he would like to resurrect the effort to establish a purchasing policy for the Township. He said that Mr. Ruggles had initiated such a policy a couple of years past, but the effort was never finalized. He said that there are instances where purchases/services are needed or required, while no one on the Board has the general authority to authorize proceeding with the purchase. Mr. Smith disseminated copies of Mr. Ruggles' original draft to all members. Following discussion, it was the consensus that members should review the original draft and be prepared to discuss the issue at the next meeting.
- f. **Review & Action: Soil Erosion Permit for the Transfer Station Site** – Supervisor Smith stated that there had been some erosion on the Transfer Station site due to a recent heavy rainstorm. He said that the adjoining property owner is willing to repair the eroded area with new fill material, however it is in close proximity to the creek that abuts the transfer station site. Mr. Smith stated that he had been in contact with the Drain Commissioner and she suggested that it would be appropriate to obtain a soil erosion permit due to the circumstances. A motion was made by Siska and seconded by Holub to authorize the Township Supervisor to apply for a soil erosion permit in the amount of \$75.00 for work at the Township Transfer Station site. The motion was unanimously approved by roll call vote.

Clerk's Report – The Clerk stated that the Primary election went well and that

the Township experienced a 36% voter turnout.

Treasurer's Report – The Treasurer's report was received and filed.

Staff Reports

- a. **Zoning Administrator** – Mr. Edwards presented his report for the month of July. He then referred members to a separate memorandum to the Planning Commission regarding the issue of camping in residential areas.
- b. **Assessor's Report** – No Report
- c. **Cemetery Sexton** – No Report
- d. **Transfer Site Attendant** – No Report

Committee/Department Reports

- a. **Planning Commission** – Mr. Spitler stated that the Planning Commission had reviewed Mr. Edward's communication regarding camping in the Township the previous evening. He said that the Planning Commission would be formulating a recommendation to the Township Board at a subsequent meeting.
- b. **Cemetery Advisory Committee** – Mr. Holub stated that the Committee had met and finalized plans for the Cemetery Open House the next day.
- c. **Fire Department** – The Fire Department report was received and filed.
- d. **Library** – The Library report was received and filed.
- e. **Pentwater Lake Improvement Board** – No Report
- f. **Road Committee** – No Report

Review & Action: Invoices

- a. **Township** - A motion was made by Siska and seconded by Holub that the Township bills in the amount of \$21,504.88 be approved as submitted. The motion was unanimously approved by roll call vote.
- b. **Cemetery** – A motion was made by Ruggles and seconded by Siska that the Cemetery bills in the amount of \$9,852.61 be approved as submitted. The motion was approved by roll call vote.
- c. **Fire Department** – A motion was made by Siska and seconded by Smith that Fire Department bills in the amount of \$12,164.77 be approved as submitted. The motion was unanimously approved by roll call vote.

Old Business - None

New Business –

- a. **Review & Action: Consideration of an Ordinance Adopting the Housing Law of Michigan** – Mr. Smith referred members to a communication from Mr. Mark VanAllsburg, Township Attorney regarding an ordinance adopting the Housing Law of Michigan. He said that adoption of the Housing Law via an ordinance would allow the Township to order the demolition of any residential “dangerous building” as defined by the Act. He stated that there is currently one such residential structure in the Township that meets the criteria of the legislation and should be razed. Mr. Smith said that the determination of whether a structure should be demolished is reviewed by and made by a hearing officer. The hearing officer’s decision may be appealed to a housing board of appeals. Mr. Smith stated that the subject legislation permits the Township Supervisor to appoint the Hearing Officer. Following discussion, a motion was made by Holub and seconded by Siska to approve Ordinance No. 16-2 entitled “An Ordinance Adopting the Housing Law of Michigan.” The motion was unanimously approved by roll call vote.

- b. **Review & Action: Rules of Procedure for Commencement of Proceeding under the Housing Law of Michigan** – Supervisor Smith referred members to an attachment to Mr. VanAllsburg’s communication which outlined “Rules of Procedure” for the Township. He said that the Township must approve a set of procedures prior to commencement of a proceeding under the Housing Law. The subject rules outline the specific process for identifying and initiating a proceeding to render a residential structure as “dangerous” before it is ordered to be razed. After discussion, a motion was made by Smith and seconded by Siska to approve a set of Rules of Procedure for Commencement of Proceeding Under the Housing Law of Michigan. The motion was unanimously approved by voice vote. In further discussion, Supervisor Smith stated that under the Housing Law, he appointed David Spitler as the hearing officer of the Township to perform all duties and to have all of the authority and responsibility of a hearing officer as provided pursuant to the Housing Law of Michigan. Mr. Smith stated that Mr. Spitler was a licensed builder and a member of the County’s Housing Authority.

- b. **Review & Action: Authorization to Issue a Request for Bid (RFB) for the Development of a Respite Area in the Cemetery** – Mr. Holub referred members to a proposed request for bid (RFB) for the development of a respite area in the Cemetery. He said that the

Cemetery Advisory Committee has been formulating plans for the subject respite area for several months while the landscape architect had finalized plans for the project. Mr. Holub stated that the RFB would be sent to local landscape firms for response. There was some discussion and a motion was made by Siska and seconded by Smith to authorize the issuance of a RFB for the development of a respite area in Section 20 of the Pentwater Township Cemetery. The motion was unanimously approved by voice vote.

Public Comments - None

Other Items from Members – Mr. Smith reported that he would be attending a trial regarding a barking dog complaint in the Township on August 30th. He reminded members that the Oceana Conservation District was conducting its annual household hazardous waste collection day on Saturday, August 20, 2016 from 9:00 a.m. to 2:00 p.m. at the Hart Department of Public Works site, 1010 State Street. Mr. Smith also stated that he had been contacted by a representative of Weare Township regarding use of the Township’s Transfer site. He said that the subcommittee consisting of he and Ms. Siska would be meeting again with representatives of Weare Township to discuss the issue.

Adjournment – A motion was made by Siska and seconded by Flynn to adjourn the meeting at 8:25 p.m. The motion was unanimously approved by voice vote.

Next Meeting – The next regular meeting of the Pentwater Township Board of Trustees will be on Wednesday, September 14, 2016 at 7:00 p.m.

Respectfully submitted,

Dean Holub, Clerk
Pentwater Township

Date