

<p style="text-align: center;">PENTWATER TOWNSHIP BOARD PENTWATER COMMUNITY HALL 500 N. HANCOCK STREET, PENTWATER, MI 49449</p> <p style="text-align: center;">In-Person Regular Meeting of Wednesday, August 25, 2021 (Rescheduled from August 11 due to power outage) Zoom Available for Audience</p>	<p>APPROVED MINUTES</p>
<p>Supervisor Cavazos called the meeting to order at 6:00 PM</p> <p>Members Present: Sue Johnson, Heather Douglas, Lynne Cavazos, Mike Flynn and Dean Holub.</p> <p>Members Absent: None</p> <p>Staff Present: Maureen Murphy, Deputy Clerk</p> <p>Others Present in Person: Chris Brown, Village Manager; Claudia Ressel-Hodan, Councilperson; Dave Spitler, County Road Commissioner; Ron Christians, County Commissioner; Terry Cluchey, Pentwater Fire Department.</p> <p>Others Present via Zoom: Paula DeGregorio and Glenn Beavis.</p>	<p>CALL TO ORDER</p> <p>ROLL CALL</p>
<p>Moved by Flynn seconded by Douglas to accept the consent agenda as follows:</p> <ul style="list-style-type: none"> • Prior Meeting Minutes of July 14, 2021 • Correspondence – Hispanic Heritage Month Resolution from Shelby Township • YTD Financial Reports 04-01-2021 thru 07/31/2021 • Claims/Bills for the period July 15 – August 11 as follows: <ul style="list-style-type: none"> ○ Township - \$55,737.91 ○ Cemetery - \$4,740.20 ○ Fire - \$10,983.29 <p>Voice vote. Motion carried.</p>	<p>CONSENT AGENDA</p> <p>Review & Action</p>
<p>Moved by Douglas seconded by Holub to accept the agenda as amended to include:</p> <ul style="list-style-type: none"> 14 f. Appointment to Joint Village/Township Parks and Recreation Committee 14 g. Email Correspondence from Chris Conroy with respect to Marijuana Establishments 14 h. Sale of Cemetery Lots 	<p>MEETING AGENDA</p> <p>Review & Action</p>

Voice vote. Motion carried.	
None	PUBLIC COMMENT ON AGENDA ITEMS
<p>Ms. Cavazos thanked the Police Chief Hartrum and Terry Cluchey of the Fire Department for their support during the COVE race.</p> <p>With respect to the American Rescue Plan monies all 17 units (16 townships and 1 city) completed the necessary paperwork. Pentwater Township’s portion of \$66,883 is expected in September.</p> <p>The Bell from Bell Park has been successfully relocated to the Cemetery. The footing was completed, and the Artisan Center did an amazing job cleaning the plaques. A “celebration” will be done in the fall.</p> <p>Due to the storm of a couple of weeks ago, the Transfer Station was opened for two consecutive Fridays in addition to the usual Thursdays and Saturdays. The Road Commission also brought debris to the Transfer Station as we have a reciprocal type of relationship with them. They tried to get the roadways clear in time for the Pentwater Homecoming week.</p> <p>At the Road Commission Meeting this morning she learned that MDOT is requesting bids from the removal of the sandbags.</p>	SUPERVISOR’S REPORT
<p>The Clerk reported that the onsite audit process was conducted July 25 – July 28. Staff is also getting acclimated to the new BS&A software. We are also awaiting a scanner for Treasurer.</p> <p>Lastly, the Village Council approved marihuana retail establishments. Is this something we should revisit even though we have not had any real public outcry to do so? In October 2019, the Township Board adopted Ordinance #19-05 which was designed as an interim regulation to “opt out” of allowing marihuana establishments at that time in order to preserve our rights for the future. Should this issue be revisited?</p> <p>At this time, the email correspondence from Chris Conroy regarding Marijuana Establishments was read and is attached to these minutes.</p> <p>It was moved by Mr. Holub and seconded by Ms. Douglas to refer the marihuana establishment issue to the Pentwater Township Planning Commission for a recommendation. Voice vote. Motion carried.</p>	CLERK’S REPORT

<p>The amended Treasurer's report was received and placed on file. Fund balances are Township \$636,228.7; Fire \$229,594.98; Cemetery \$322,939.70. Two accounts with Fifth Third Bank will be closed and moved to Huntington Bank.</p>	<p>TREASURER'S REPORT</p>
<p>The Library, Fire Department and Recreation Reports were received and placed on file.</p>	<p>OTHER DEPARTMENTAL REPORTS Library, Recreation and Fire Department</p>
<p>The Zoning, Assessing, Cemetery and Transfer Station Reports were received and placed on file.</p>	<p>STAFF REPORTS – Zoning, Assessing, Cemetery, Transfer Station</p>
<p>Ms. Johnson reviewed the proposals for a leased multi-functional (copy, scan, email, fax) office machine as the five (5) year lease on the current equipment is due to expire.</p> <p>Moved by Holub and seconded by Douglas to authorize the Pentwater Township Clerk to enter into a 60-month lease agreement with \$1 buy-out with Ricoh for a Model IM C3000. Said monthly lease amount is \$106.39 plus copy usage.</p> <p>Roll call vote: Holub, yes; Douglas, yes; Cavazos, yes; Flynn, yes; and Johnson, yes. Motion carried.</p>	<p>UNFINISHED BUSINESS</p> <p>Lease of Ricoh Office Machine</p>
<p>Ms. Cavazos presented the quote from Ruggles & Son Masonry for repair and/or new construction of certain retaining walls at the Cemetery.</p> <p>Moved by Douglas and seconded by Flynn to accept the quote from Ruggles & Son Masonry for the removal and new construction of specified retaining walls in Blocks 1, 2, 4, 5, 8, 9, 11, 12 and 13 in the amount of \$103,050 with 50% due before project is begun and balance due upon completion. The project will be done in the Fall of 2021 and Spring of 2022.</p> <p>Roll call vote: Douglas, yes; Flynn, yes; Holub, yes; Johnson, yes; and, Cavazos, yes. Motion carried.</p>	<p>UNFINISHED BUSINESS</p> <p>Cemetery Retaining Wall</p>
<p>Pentwater Village Manager Chris Brown explained that about a year ago, he and former Supervisor Spitler discussed a joint agreement</p>	<p>NEW BUSINESS</p> <p>Intergovernmental</p>

between the Township and the Village for Park Place.

On February 10, 2021, the Township entered into an intergovernmental agreement with the Village for operations of the Pentwater Park Place. The initial agreement “committed the Township to \$10,000 to be allocated from its 2020-2021 budget. Further payments, if any, must be considered and authorized by the Township Board and this Agreement contains no express or implied commitment with respect to further payments.”

On February 11, 2021 the Township paid \$10,000. On July 14, 2021, the Township paid the Village \$7,500

Mr. Brown said that, while Park Place is not expected to be a revenue stream there seems to be inequities. Annual tax revenue from Village residents for Park Place is \$35,200 (0.34mills) and the township “revenue” was only \$7,500 for the 2021/2022 fiscal year.

The 2021/22 Park Place Budget of \$68,000 includes a budgeted revenue line-item amount of \$15,000; yet, only \$7,500 has been received [from the Township]. The rents line item is budgeted at \$2,500 but \$3,715 has been received as of August 6.

Ms. Ressel-Hodan said that Park Place is a community center being used by both township and village residents. In June, 67 township residents and 58 village residents used the facility. In July, the count was 83 township residents and 112 village residents. In addition, there were 3 village government meetings in June, 2 in July and 4 in August. Several associations (both non-profit and for-profit) have used the facility to include lake associations, book clubs, knitting clubs, line dancing, women’s club, service club etc. All users pay for audio-visual, cleaning and kitchen fees. Any free event or activity override a paid activity. Thirty-one events were scheduled in April, 40 in May, 38 in June, 35 in July and 37 thus far in August.

Mr. Brown added that those from out of the area are charged a fee of \$350.00. Residents pay \$175.00. Ms. Douglas noted that even the fee of \$350 is a very modest.

Mr. Brown said ideally, we would rather not have to charge a service fee to any resident but that is not the reality.

Free events or activities override a paid activity.

Mr. Holub asked about the renovation costs. Mr. Brown responded that the costs were \$180,000 and the Village Council donated a \$100,000 from the general fund to the project. More discussion ensued.

When asked about the \$6,500 administration expense in the Park Place

**Agreement for
Maintenance, Operation
and Funding of Park Place
Community Building.**

<p>budget, Mr. Brown responded that it was to cover the time spent by himself and staff overseeing, managing and responding to inquiries in the office.</p> <p>When asked about conducting government meetings in Park Place, instead of at the Village Hall, Mr. Brown said that the Village needs a larger space than what is available. As an example, the Township's current meeting room would not be adequate for the Village because of the number of people that attend.</p> <p>Ms. Cavazos said that revisiting the fee schedule for events might be prudent. Additional discussion ensued.</p> <p>Mr. Holub reminded everyone that the Township's tax revenue is quite different than the Village's. The township's revenue from property tax is less than \$300,000 and is significantly different than the Village's budget. For the Township to carve out an additional contribution to Park Place, something else must be reduced.</p> <p>Note: Township operating is 1.2268 mills which generates \$282,643 [based on taxable value of \$230,391,064]. Village operating is 8.307 mills which generates \$858,980 [based on taxable value of \$103,395,774]</p> <p>Ms. Cavazos thanked Mr. Brown and Ms. Ressel-Hodan for the information and providing the Township Board with a clearer picture of Park Place. Ms. Douglas said the space is amazing and an asset to the community. Mr. Holub commented that he thought it would not be inappropriate to charge a fee to Township residents to use Park Place.</p>	
<p>Ms. Johnson explained that the Cemetery Sexton needed his part-time helper to work more hours; however, the rate of pay was too low. It was suggested that the Sexton Assistant and Extra Help categories be combined into one entitled "Cemetery Sexton Assistant" at the rate of \$16.04 per hour.</p> <p>However, when reviewing the Salary Schedule, she noted that the Election workers' rate seemed low (\$14.88 - \$15.55) while the Intermittent Laborer rate seemed high (\$17.24). She asked that those be reviewed as well.</p> <p>Moved by Johnson and seconded by Douglas to combine the positions of Cemetery Helper and Cemetery Sexton Assistant and set the hourly rate at \$16.04</p> <p>Roll call vote: Johnson, yes; Douglas, yes; Cavazos, yes; Flynn, yes; and Holub, yes. Motion carried.</p>	<p>NEW BUSINESS</p> <p>Amendment to 2021/2022 SALARY SCHEDULE</p>

<p>Moved by Cavazos and seconded by Holub to establish the Election Inspector and Election Chairperson hourly rate as \$16.04</p> <p>Roll call vote: Cavazos, yes; Holub, yes; Douglas, yes; Flynn, yes; and, Johnson, yes. Motion carried.</p>	
<p>Moved by Cavazos and seconded by Douglas to adopt the Pentwater Township Federal Procurement Conflict of Interest Policy as recommended by the Michigan Townships Association.</p> <p>Roll call vote: Cavazos, yes; Douglas, yes; Holub, yes; Johnson, yes; and, Flynn, yes. Motion carried.</p>	<p>NEW BUSINESS</p> <p>Federal Procurement Conflict of Interest Policy</p>
<p>Moved by Johnson and seconded by Holub to adopt a Capital Assets Policy for the General Fund, Cemetery Fund and Road Fund as recommended by the auditors, Gabridge and Company.</p> <p>Roll call vote: Johnson, yes; Holub, yes; Douglas, yes; Flynn, yes; and, Cavazos, yes. Motion carried.</p>	<p>NEW BUSINESS</p> <p>Capital Assets Policy</p>
<p>Ms. Cavazos said that the Township’s current Policy/Procedure to Disposal of Surplus Items is fairly clear when considering items with a value of a \$1,000 or more. With respect to items with a value of less than \$1,000, the process is not as clear. We have a broken power washer from the Cemetery that does not have much value. Discussion ensued.</p> <p>It was determined that the Supervisor and Clerk will put together an “ad” and put it on the Township’s website.</p>	<p>NEW BUSINESS</p> <p>Review of “Policy/Procedure to Dispose of Surplus Items”</p>
<p>Ms. Cavazos said that the Township Board needs to appoint someone to the Village/Township Parks and Recreation Committee. We need one Board member and one township resident. She recommended that Heather Douglas be appointed.</p> <p>The current members of the Parks and Recreation Committee are Katie Anderson, Village Recreation Director as its Chair; Bill Bainton, Village resident member; Michelle Angell-Powell, Village Council member; Ralph Baker, Athletic Director-School member. There is need for township representation.</p> <p>Ms. Cavazos said that according to Ms. Anderson, the committee was set up for the purpose of putting together the MDNR 5-Year Joint</p>	<p>NEW BUSINESS</p> <p>Appointment to Parks and Recreation Committee</p>

<p>Recreation Plan. The current plan expires in 2024 and there is a need to get things started again in 2022.</p> <p>Mr. Holub said it appears it is not an ad hoc committee but a “board”. Thus, by-laws need to be established and meeting dates set. There should be an odd (not even) number of members and a staff person cannot be the chair nor a voting member. This is similar to the Zoning Administrator. He organizes and attends the Planning Commission Meetings, but he is not a member, nor does he vote on issues.</p> <p>Ms. Cavazos will discuss this further with Ms. Anderson.</p>	
<p>Ms. Johnson related that a couple weeks ago, a gentleman asked where in the Ordinance it was written that one cannot sell their Cemetery lot to someone else. In reviewing the ordinance, it is not clear.</p> <p>Just four days ago, a woman came in the office with a Cemetery deed and said her cousin sold the lot to her. She wanted to make sure she and her mother could be buried there. One can sign over lots to immediate family; however, a cousin and aunt are not in the definition. I told her Board action would be necessary. Or, the cleanest way would be for the owner to come in and sell it back to the Township and then, in turn, the lots could be sold to the woman.</p> <p>Ms. Johnson referred to the Cemetery Fee Schedule and the “sliding scale” with respect to lot purchases. The more lots one purchases the more the “per lot” fee is. She asked for some guidance with respect to enforcement of the sliding scale. A brief discussion ensued. Mr. Holub said that the sliding scale was adopted because people were buying multiple lots and not using them.</p> <p>Ms. Douglas said that the definition of “immediate family” should be revised.</p> <p>New language regarding the sale of lots, sliding scale and definition of “immediate family” will be proposed for the September Board Meeting.</p>	<p>NEW BUSINESS Cemetery Lot Sales</p>
<p>Ms. DeGregorio, Pentwater resident, related that either at the June or July Village Council Meeting a lawyer and his partner who owns five marijuana concessions gave information on the process. They were asked if they had a local partner in Pentwater and they responded in the affirmative.</p>	<p>PUBLIC COMMENTS</p>

Mr. Beavis said that the acoustics are absolutely terrible. He recommended that if Zoom is planned for the long term the board may wish to purchase some sound boards for the walls and individual microphones for the board members.

Kudos to the Board for the all tree work that was done in the area during the recent storm. However, it brought back memories of a tree that went down on Madison some time ago. He called the Supervisor and was referred to the Road Commission. The Road Commission said that if it is not blocking the road, they do not do anything. He tracked down the property owner who agreed it was terrible and offered to send his land manager. Well, the tree is still there. If there is any flexibility, he would like the township's assistance as it is an eye sore.

He asked about Park Place. Was the overarching purpose of the discussion to transfer \$10,000 from the Township to the Village as was done previously? Ms. Johnson said that the \$10,000 was paid in the previous fiscal year. This fiscal year, the Board appropriated \$7,500 in its budget and paid the same.

Ms. Cavazos said that when the agreement was written it was written specifically that the amount would be considered each year. Now, the Village is requesting 50% of the operating funds.

Ms. Cavazos referred to the siren atop the old village/township hall. She received phone calls and emails about its nostalgia. We need to look at the siren as it being part of a safety plan. The siren does have a safety emergency warning component to it. She discussed this with the Village Police Chief, the 911 Director, Terry Cluchey of the Fire Department, and with Tom Osborn, former County Emergency Management Coordinator. She has not had an opportunity to discuss this with the State Park Director. It does not appear the village and township have a safety plan. She is willing to take the lead on this issue.

Mr. Cluchey said that a new siren will not sound like the noon whistle.

Ms. Johnson submitted her letter of resignation effective January 1, 2022. She pledged to do whatever she can to make the transition as smooth as possible.

**OTHER ITEMS from
BOARD MEMBERS**

Supervisor Cavazos adjourned the meeting 8:00 p.m.	ADJOURNMENT
<hr/> Sue Ann Johnson, Township Clerk	<hr/> Date

Clerk

From: Chris Conroy <chconroy57@gmail.com>
Sent: Wednesday, August 25, 2021 10:30 AM
To: Clerk
Subject: Marijuana Establishments

Sue Ann Johnson
Clerk - Pentwater Township

Sue Ann,

I appreciate your posted report for tonight's meeting with the question to the Township Board whether or not now is the right time to revisit the opt out policy pertaining to marijuana establishments that the Township is currently operating under. And I urge the Board to conduct an open and thorough research on the impact that such establishments would have on the community and the correct locations that would best serve the residents and taxpayers of the township. Take your time. And as a Village Planning Commissioner, I am willing to partner to share our findings to-date although continued research and site visits continue.

In the event that I am unable to read this letter or make public comment to this affect at tonight's Board meeting, I request this correspondence be entered into public record.

Thank you and thank you also for the thorough and crisp meeting minutes that you document after each meeting and the synopsis you post in the OHJ after each meeting.

Sincerely,
Chris Conroy
560 S Hancock #21
6306068301