

<p style="text-align: center;"> PENTWATER TOWNSHIP BOARD PENTWATER COMMUNITY HALL 500 N. HANCOCK STREET, PENTWATER, MI 49449 In-Person Regular Meeting of Wednesday, October 13, 2021 Zoom Available for Audience </p>	<p style="text-align: center;">APPROVED MINUTES</p>
<p>Supervisor Cavazos called the meeting to order at 6:00 PM</p> <p>Members Present: Johnson, Douglas, Cavazos, Flynn, and Holub.</p> <p>Members Absent: None</p> <p>Staff Present: Maureen Murphy, Deputy Clerk</p> <p>Others Present in Person: Ian Rees, Gabridge & Co.; Chris Brown, Pentwater Village Manager; Larry Doran, Weare Township Supervisor; Claudia Ressel-Hodan, Village Councilperson; Ron Christians, County Commissioner; Terry Cluchey, Pentwater Fire Department; John Adams, Oceana County Climate Action Council and New Era resident; Amy LaBarge, Pentwater resident; Paula DeGregorio, Pentwater resident; Janet Cook-Attala, New Era resident; and, Jean Russell, Pentwater resident.</p> <p>Others Present via Zoom: Cathy Crumb, Pentwater resident; and someone called “Kathy O”.</p>	<p>CALL TO ORDER</p> <p>ROLL CALL</p>
<p>Moved by Holub seconded by Douglas to accept the Consent Agenda as follows:</p> <ul style="list-style-type: none"> • Prior Meeting Minutes of September 8, 2021 • YTD Financial Reports 04-01-2021 thru 09/30/2021 • Claims/Bills for the period September 9 – October 13 as follows: <ul style="list-style-type: none"> ○ Township - \$42,780.27 ○ Cemetery - \$2,617.12 ○ Fire - \$57,169.37 <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 presented. Voice vote. Motion carried.</p>	<p>MEETING AGENDA</p> <p>Review & Action</p>

<p>Larry Doran requested that the Pentwater Township Board consider approval of an ORV Ordinance in Pentwater. Ms. Johnson said that the Township Board has visited this issue on previous occasions. In 2012, the Planning Commission recommended that ORVs not be permitted on any roadways in Pentwater Township.</p> <p>John Adams supported adoption of a Proclamation Endorsing the Declaration of a Climate Emergency to Restore a Safe Climate.</p> <p>Amy LaBarge expressed support for additional monetary contribution from the Township to the Village to support the burden of Park Place.</p> <p>Janet Cook-Attala expressed support of the Proclamation Endorsing the Declaration of a Climate Emergency to Restore a Safe Climate.</p>	<p>PUBLIC COMMENT ON AGENDA ITEMS</p>
<p>Mr. Ian Rees, Gabridge and Company, presented the Township’s Financial Report which contains an unmodified and clean opinion which is the best opinion to receive. The report represents the new standards for fiduciary activity with respect to tax collection.</p> <p>Mr. Rees referred to page 4 of the report which reflects \$675,564 in unrestricted funds which equates to 43.3% of the annual general fund expenditures. Pages 6 and 7 refers to net position. The township’s overall net position increased \$113,317 from the previous year.</p>	<p>ANNUAL FINANCIAL REPORT FOR YEAR-ENDED 03/31/2021</p>
<p>Ms. Cavazos reported the following:</p> <ul style="list-style-type: none"> • She will be recommending the appointment of Maureen Murphy as the Pentwater Township Clerk upon Ms. Johnson’s retirement. The appointment cannot take place until 30 days before the effective date of retirement. Ms. Murphy will hold the office until the election in November 2022. • She and County Commissioner Christians are working on a safety plan for the community. They will coordinate their efforts with the Village Manager. The siren will be incorporated into the plan for use in an emergency. • The dedication ceremony of the Veteran’s bell was held at the Cemetery on Wednesday, October 6. It was well-attended. • Two quotes are forthcoming with respect to liability insurance 	<p>SUPERVISOR’S REPORT</p>

<p>as the current policy expires December 1st.</p>	
<p>Ms. Johnson reported that she and the Deputy Clerk are busy with Absentee Ballots and registering new voters. It is expected that each precinct will have at least one Poll Watcher on Election day.</p>	<p>CLERK’S REPORT</p>
<p>The Treasurer’s Report for August and September were received and placed on file. Two Fifth/Third bank accounts were closed, and two others were opened at Huntington Bank.</p> <p>Mr. Holub asked about the three road projects that were paid.</p>	<p>TREASURER’S REPORT</p>
<p>The Library, Fire Department and Recreation Reports were received and placed on file.</p> <p>Mr. Flynn interjected that fire departments across Michigan are having difficulty finding and keeping trained Fire Department staff. One idea toward retention would be to establish a pension fund for firefighters. Typically, three fire departments respond to a local fire in order to make certain there is adequate coverage.</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>Mr. Brown, Pentwater Village Manager, said that he previously requested an additional \$7,500 from the Township for Park Place operating costs. The Village is contributing \$15,000 for operating costs and would like the Township to contribute a like amount. The Township has already paid \$7,500.</p> <p>He was asked by the Township to submit another proposal. The one he submitted today was for the Township to pay another \$7,500 OR have Township residents pay \$75.00 for a “membership” to Park Place through the end of the fiscal year.</p> <p>Ms. Cavazos asked about the \$6,500 budgeted for administrative expense. Mr. Brown responded that this is for his time and staff time spent on administration of Park Place. He said villages are required to track administrative expenses for all the funds (road, sewer, etc). All salary and fringe benefit costs are spread over all funds.</p> <p>Mr. Holub asked about the \$10,000 the Township contributed in</p>	<p>UNFINISHED BUSINESS Pentwater Village Funding Request for Park Place</p>

January 2021. Park Place was not even opened then. Another check was cut in July, 2021 for \$7,500. In 2021 (even though it was over 2 budget periods), the Township paid \$17,500. What happened to the \$10,000. Mr. Brown responded that it was for building costs.

Mr. Holub said that the intent of the contract was for operating costs – not building costs. Mr. Brown responded that they still had operating costs (i.e., light bill, water bill, insurance, administrative costs)

Ms. Cavazos clarified that if the \$75.00 per township resident fee were to become a reality, it would last through the end of the fiscal year. Mr. Brown concurred.

At the September meeting, it was indicated that the user fee schedule might be adjusted. Mr. Holub asked if that occurred. Mr. Brown responded in the affirmative.

Mr. Flynn was vehemently opposed to contributing any additional Township dollars at this time. About 4 weeks ago, there was an article in the Oceana's Herald-Journal about the Village Council Meeting. It included the marijuana dispensary issue and Park Place funding. He was very upset at the tone of the article as he felt the "Village was throwing the Township under the bus".

Park Place and the Library sit on "sacred ground" because of the wells. The township cannot own anything there. The library can act as a library but as soon as it ceases, the land goes back to the Village.

He has been on the Board a long time. More than 20 years ago, then Supervisor Ellinger would harp that statutorily townships cannot donate funds. The news article made him feel like the Village was stabbing him in the back.

Currently, the Township Board agreed to some funding for Park Place and called it "operating" costs. Mr. Flynn felt the Board was being generous giving the \$7,500. Now, if we don't contribute \$15,000, the township residents will be charged. "That is a kick in the butt".

Mr. Holub said that the Village charges one fee for village residents and one fee for township residents for use of the Marina. Mr. Brown concurred and said that was fair. Mr. Holub agreed. If the Village needs to charge Township residents a different fee to use Park Place, then do so.

APPROVED

The Township operates a Cemetery and charges one fee for township taxpayers and a higher fee for those that do not pay taxes in the township. It is totally acceptable to him if Township residents have to pay a higher fee than Village residents to use Park Place.

Mr. Holub agreed that Village residents pay a Township Tax. What they get for their money is a Township Treasurer who must transmit taxes to about 10 or more different taxing entities. The Township Clerk conducts elections and maintains voter registrations throughout the entire township. The Clerk also does the administration of the Township Cemetery.

Now, contrary to what is done at the Village with respect to charging back administration costs, the Township does not charge a nickel back to the Cemetery Fund for administration. The Township does all the check writing and financial administration for the Fire Department and does not charge back any administrative fees. All Cemetery millage and Fire Department millage are used for building, equipment, training and personnel costs – not for indirect administrative costs.

By statute, the Township provides all the assessing services. The Township is responsible for employing an assessor for both the village and the township. And, by the way, the Township also houses the village zoning administrator. The Township does not charge the village for any of the overhead.

Mr. Brown said that the village taxpayers are also paying the same as the township taxpayers.

Mr. Holub said that the Transfer Station is also a service to all. All these things are provided by the township on 1.22 mills.

Dr. Ressel-Hodan said how does she resolve the issue when Sally from the Village is paying to use Park Place by virtue of the millage on her tax bill, but Sally from the Township is not. Ms. Johnson responded that the Village should have Sally from the Township pay a fee. But don't forget the Township has already contributed money for this.

Mr. Brown reiterated that the Township is being asked to pay 50% of the operating costs or \$15,000. Or, if only contributing \$7,500, the township residents would be assessed a \$75 user fee.

APPROVED

<p>Mr. Flynn said that the Village and Township shared a building and then we each sought shelter somewhere else. The Township purchased the current location (500 N. Hancock) and remodeled to suit its purpose.</p> <p>The Village purchased a building which was not adequate, and they put their meeting room into Park Place which makes it an official government building.</p> <p>Mr. Brown countered that the Council considered spending another \$100,000 to include a meeting room in their current building for 12 meetings a year or make an investment into Park Place. Residents can use it 295 days per year. “We thought that was a better investment”.</p> <p>Ms. Douglas asked if the annual \$75 charge to Township residents fulfill the funding need of the Village. Mr. Brown said that there are at least 100 township users of Park Place and that was how the fee was arrived at. He added that the fee schedule was recently amended to increase revenues.</p> <p>Ms. Cavazos clarified that, the way the current agreement is written, the contribution amount is revisited annually. There are two options on the table – contribute another \$7,500 or have the Village assess a \$75.00 fee to township residents.</p> <p>Moved by Holub and seconded by Flynn to not increase the Township’s contribution of \$7,500. Roll call vote: Holub, yes; Flynn, yes; Cavazos, yes; Douglas, yes; and, Johnson, yes.</p> <p>Ms. Cavazos asked about a motion for the second option of a user fee. Mr. Holub and Ms. Johnson said such a motion was not necessary. It is up to the Village if they wish to directly charge a user fee to Township residents.</p>	
<p>Moved by Douglas and seconded by Holub to adopt the Proclamation Endorsing the Declaration of a Climate Emergency to Restore a Safe Climate.</p> <p>Roll call vote: Douglas yes; Holub, yes; Johnson, yes; Flynn, yes; and Cavazos, yes. Motion carried.</p>	<p>UNFINISHED BUSINESS</p> <p>Proclamation Endorsing the Declaration of a Climate Emergency to Restore a Safe Climate</p>

<p>Ms. Cavazos explained the line-item detail of the proposed budget amendments and creation of a new fund for the ARPA monies.</p> <p>Moved by Johnson and seconded by Flynn to amend the 2021/22 General Fund Budget from \$480,859 to \$570,079.</p> <p>Roll call vote: Johnson, yes; Flynn, yes; Douglas, yes; Cavazos, yes; and Holub, yes. Motion carried.</p> <p>Moved by Holub and seconded by Douglas to amend the 2021/22 Road Fund Budget from \$130,990 to \$135,090.</p> <p>Roll call vote: Holub, yes; Douglas, yes; Flynn, yes; Cavazos, yes; and, Johnson, yes. Motion carried.</p> <p>Moved by Cavazos and seconded by Holub to amend the 2021/22 Cemetery Fund Budget from \$97,428 to \$111,348.</p> <p>Roll call vote: Cavazos, yes; Holub, yes; Johnson, yes; Flynn, yes; and, Douglas, yes. Motion carried.</p> <p>Moved by Douglas and seconded by Johnson to establish the 2021/22 American Rescue Act Fund Budget in the amount of \$66,883.</p> <p>Roll call vote: Douglas, yes; Johnson, yes; Flynn, yes; Holub, yes; and Cavazos, yes. Motion carried.</p>	<p>NEW BUSINESS</p> <p>Budget Amendments</p>
<p>Ms. Johnson explained that several changes and amendments have been made to the Cemetery Ordinance over the last several years. It was recommended that the Board adopt Ordinance 2021-01 Amended and Restated Cemetery Ordinance which encompasses all the changes. Further, a Notice of Adoption of Ordinance No. 2021-01 amending and restating the existing ordinance will be published in the <u>Oceana's Herald-Journal</u>.</p> <p>Moved by Douglas and seconded by Holub to adopt Ordinance 2021-01 which is an Ordinance to Protect the Public Health, Safety and General Welfare by Establishing Regulations Relating to the Operation, Control and Management of the Cemetery Owned by the Township of Pentwater, Oceana County, Michigan. To provide Penalties for the</p>	<p>NEW BUSINESS</p> <p>Ordinance 2021-01 Cemetery Ordinance</p>

<p>Violation of Said Ordinance; and to Repeal All Ordinances or Parts of Ordinances in Conflict Therewith.</p> <p>Roll call vote: Douglas, yes; Holub, yes; Flynn, yes; Cavazos, yes; and Johnson, yes. Motion carried.</p>	
<p>Ms. Douglas read and presented the Proclamation for Citizen of the Year to Dr. Claudia Ressel-Hodan</p>	<p>NEW BUSINESS</p> <p>Proclamation for Citizen of the Year</p>
<p>Moved by Holub and seconded by Flynn to have the Pentwater Township Transfer Station remain open on the first three Saturdays in November, 2021 from 9:00 a.m. – 5:00 p.m. for the disposal of brush and leaves only.</p> <p>Roll call vote: Holub, yes; Flynn, yes; Douglas, yes; Johnson, yes; and, Cavazos, yes. Motion carried.</p>	<p>NEW BUSINESS</p> <p>Additional Dates/Time for Transfer Station</p>
<p>The Supervisor related that, because interest is being shown in 327 S. Hancock Street, a new Notice of Sale of Land has been developed that would allow persons to make proposals. There will be no timeline. The proposals will be reviewed by both the Village and the Township representatives and then brought to the Board and Council for formal action.</p> <p>Moved by Douglas and seconded by Flynn to approve the Notice of Sale of Land at 327 S Hancock.</p> <p>Roll call vote: Douglas yes; Flynn, yes; Holub, yes; Cavazos, yes; and, Johnson, yes. Motion carried.</p>	<p>NEW BUSINESS</p> <p>Review of 327 S. Hancock Proposal</p>
<p>Discussion ensued on proposed projects for 500 N. Hancock Street building as follows: gutters with downspouts; heat tape; washing of building; replace covers on cement posts; paint and weather strip basement door; clean and paint/stain deck; redesign and grade parking lot; landscaping; replace roof; and, generator. The first five items will be done right away. Mr. Holub said that the parking lot project will probably cost \$30,000. Replacement of the roof is likely a few years away.</p>	<p>NEW BUSINESS</p> <p>Discussion of Proposed Projects for 500 N. Hancock</p>

<p>Moved by Johnson and seconded by Douglas the Supervisor to move forward on projects.</p> <p>Roll call vote: Johnson, yes; Douglas, yes; Cavazos, yes; Flynn, yes; and, Holub, yes. Motion carried.</p>	
<p>John Adams thanked the Board for the Proclamation Endorsing the Declaration of a Climate Emergency to Restore a Safe Climate. He cited several areas where changes can be made to positively affect the climate.</p> <p>Amy LaBarge said that as a village and township resident she wanted to say that some of the discussion tonight was uncomfortable and embarrassing. The animosity was unfortunate and uncomfortable. She asked for clarification that a village and township resident pay the same taxes to the township as a township resident. Ms. Johnson replied that it is not the same taxes; rather it is the same millage amount.</p> <p>Paula DeGregorio related that the lighting in the parking lot is not sufficient. It was dark when she left a Planning Commission Meeting, and it was difficult to see. Ms. Johnson agreed that the parking lot is very dark. We recently had the two lights in the parking lot repaired so they are working but it is still too dark.</p> <p>Larry Doran suggested downlighting in the parking lot. Also, with respect to the safety plan, a gathering area could be held in the school.</p> <p>Ron Christians asked if the fiscal year and calendar year were the same. Ms. Johnson replied that the fiscal year is April 1 – March 31. He asked about the proposed \$75 fee to Township residents for using Park Place. Is that applicable now? Ms. Johnson responded that he needs to address his question to the Village as any fee charged to a Township resident to use the facility would be determined by the Village Council.</p>	<p>PUBLIC COMMENTS</p>
<p>None</p>	<p>OTHER ITEMS from BOARD MEMBERS</p>

Supervisor Cavazos adjourned the meeting 7:45 p.m.	ADJOURNMENT
<p>_____</p> <p>Sue Ann Johnson, Township Clerk</p>	<p>_____</p> <p>Date</p>