

# DRAFT

## PENNFIELD CHARTER TOWNSHIP REGULAR MEETING MINUTES JUNE 13, 2017

Supervisor Morgan called the meeting to order at 6:00 PM at the Pennfield Middle School Cafeteria. Present were Supervisor Morgan, Clerk Case, Treasurer Jackson, Trustees Damerow, Goodman, Herbstreith and Skelding. There were 10 residents present.

### CITIZEN/PUBLIC COMMENT

A resident reported on a missing sign on Pine Lake Road. Clayton Wehner, Fred Oaks and Christine Parsons were present from the Calhoun County Road Department to give an update on our road project. Prosecuting Attorney Dave Gilbert was present to give an update on medical marijuana.

### ADDITIONS/DELETIONS TO THE AGENDA

It was moved by Trustee Damerow and supported by Trustee Herbstreith to accept the Agenda as presented. **Motion carried.**

### APPROVAL OF THE CONSENT AGENDA

It was moved by Trustee Damerow and supported by Trustee Herbstreith to accept the Consent Agenda as present. **Motion carried.** The Consent Agenda consists of the following items:

1. Meeting minutes of May 9, 2017 and June 5, 2017
2. Utilities Division monthly report – see addendum
3. Code Compliance monthly report – see addendum
4. Permits Department monthly report – see addendum
5. Assessors Department monthly report – see addendum
6. Cemetery Department monthly report – see addendum
7. Life Care report
8. Zoning report

### PUBLIC SAFETY REPORTS

**POLICE:** Lt. Wiersma was present from the Calhoun County Sheriff's Department to give the monthly report. The monthly stats are as follows: 198 traffic citations, 199 verbal warnings, 9 traffic crashes, 84 arrests, 46 self generated complaints, 266 dispatched complaints and 1,207 property inspections.

**FIRE:** Chief Smith was present from the Fire Department to give the monthly report. The stats are as follows: 2 fires, 77 rescue & medical emergencies, 9 hazardous conditions, 2 service calls, 2 good intent calls and 2 false alarms.

## UNFINISHED BUSINESS

Pennfield Charter Township Road Project

## NEW BUSINESS

### 1. Adoption of Pennfield Charter Township Resolution 17-59

**PENNFIELD CHARTER TOWNSHIP RESOLUTION 17-59  
(a Resolution Adopting Standards of Ethics and Conduct policy which  
Replaces Resolution 11-35)**

**WHEREAS**, the Pennfield Charter Township Board recognizes that to carry out its mission of service to the community, the Board, elected officials, appointees, members of commissions, and employees must earn the full confidence of the Pennfield Charter Township community, and

**WHEREAS**, Township residents and taxpayers expect and are entitled to a local government that conducts its affairs in a fair, ethical, transparent and accountable manner, and

**WHEREAS**, to accomplish these ends the Board wishes to adopt a Code of Ethical Conduct.

**NOW, THEREFORE, BE IT RESOLVED** that the following policy of Standards of Ethics and Conduct is hereby adopted:

*All public officials, appointees, boards and commissions, and employees of the Township shall abide by the following standards of conduct as adopted by the Pennfield Charter Township Board on May 23, 2017:*

1. *A public official, appointee, board or commission member, or employee shall not divulge to any unauthorized person confidential information acquired in the course of employment in advance of the time prescribed for its authorized release to the public.*
2. *A public official, appointee, board or commission member, or employee shall not represent his or her personal opinion as that of the township.*
3. *A public official, appointee, board or commission member, or employee shall use personnel resources, property and funds under his or her official care and control solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.*
4. *A public official, appointee, board or commission member, or employee shall not, directly or indirectly, solicit or accept any gift or loan of money, goods, services or other thing of value for the benefit of any person or organization other than the township that tends to influence the manner in which the*

*public official or employee or any other public official or employee performs his or her official duties.*

5. *A public official, appointee, board or commission member, or employee shall not engage in a business transaction in which he or she may profit from his/her official position or authority or benefit financially from confidential information obtained or which may be obtained by reason of such position or authority.*
6. *A public official, appointee, board or commission member, or employee shall not engage in or accept employment or render services for any private or public interest when that employment or service is incompatible or in conflict with the discharge of his or her official duties or when that employment may tend to impair the independence of judgment or action in the performance of his or her duties.*
7. *A public official, appointee, board or commission member, or employee shall act in the best interest of the township rather than for personal gain. A township official, appointee, board or commission member, or employee shall not enter into any business relationship that would put them into conflict with their obligations to the township.*
8. *Township board members and other elective or appointive officials shall treat all employees of the township with courtesy and respect. While board members and elective and appointive officials have the right and, indeed, the obligation, to publicly question board decisions and township policy, board members and other elective or appointive officials should abstain from personal or ad hominem attacks on fellow board members and township employees.*
9. *A township board member or other elective or appointive official whose conduct does not comply with any township policy or procedure, including its ethical code of conduct, may be subject to actions including, but not limited to, internal reprimand, formal board censure, loss of a non-statutory committee assignment, or budget restriction, where such restriction is not prohibited by statute.*
10. *Violations of township policy may also be considered by the township board as just cause for removing members of appointive township boards and commissions from office, where removal is authorized by law.*
11. *The chairs of boards and commissions, department heads, managers and the supervisor have the additional responsibility to intervene when an individual's actions that appear to be in violation of the Code of Ethical Conduct are brought to their attention. The township board may impose*

*sanctions on those individuals whose conduct does not comply with the township's Ethical Code of Conduct standards, such as reprimand, formal censure, loss of seniority or committee assignment, budget restriction, termination or other sanctions as identified by the board. The township board may also have the option to remove members of boards, commissions and committees as the law allows. A violation of this Ethical Code of Conduct shall not be considered a basis for challenging the validity of a township board or commission's decision-making authority.*

Moved by: Trustee Damerow

Supported by: Trustee Herbstreith

Supervisor Morgan – Yes

Trustee Damerow – Yes

Clerk Case – Yes

Trustee Goodman – Yes

Treasurer Jackson – Yes

Trustee Herbstreith – Yes

Trustee Skelding – Yes

Vote shows 7 yes, -0- no. **Resolution 17-59 is adopted.**

## **2. Adoption of Pennfield Charter Township Resolution 17-60**

### **PENNFIELD CHARTER TOWNSHIP RESOLUTION 17-60**

**(a Resolution approving the bid of H2O Towers for the exterior treatment and washing of the Township Water Tower in the amount of \$3,400.00)**

**BE IT RESOLVED**, that the Pennfield Charter Township approves the bid of H2O Towers for the exterior treatment and washing of the Township water tower in the amount of \$3,400.00.

Moved by: Trustee Damerow

Supported by: Trustee Herbstreith

Supervisor Morgan – Yes

Trustee Damerow – Yes

Clerk Case – Yes

Trustee Goodman – Yes

Treasurer Jackson – Yes

Trustee Herbstreith – Yes

Trustee Skelding – Yes

Vote shows 7 yes, -0- no. **Resolution 17-60 is adopted.**

## **3. Adoption of Pennfield Charter Township Resolution 17-61**

### **PENNFIELD CHARTER TOWNSHIP RESOLUTION 17-61**

**(A Resolution reappointing a member to the AMSA Construction Board of Appeals)**

**BE IT RESOLVED**, The Area Metropolitan Services Agency (AMSA) Council Board recommended at its June 6, 2017, meeting that Tom Beuchler be reappointed to the AMSA Construction Board of Appeals that Tom Beuchler with a term expiring on 7-12-2023.

**Whereas**, Pennfield Charter Township does hereby affirm the reappointment of the above listed individual to the AMSA Construction Board of Appeals as recommended by the Area

Metropolitan Services Agency (AMSA) and pursuant to the State Construction Code Act, 1972 PA 230.

Moved by: Trustee Damerow                      Supported by: Trustee Herbstreith

Supervisor Morgan – Yes                      Trustee Damerow – Yes  
Clerk Case – Yes                                  Trustee Goodman – Yes  
Treasurer Jackson – Yes                      Trustee Herbstreith – Yes  
Trustee Skelding – Yes

Vote shows 7 yes, -0- no. **Resolution 17-61 adopted.**

**4. Adoption of Pennfield Charter Township Resolution 17-62**

**PENNFIELD CHARTER TOWNSHIP RESOLUTION 17-62  
(A Resolution implementing the Michigan Townships Association - Principles of  
Governance for Pennfield Charter Township Board Members)**

**BE IT RESOLVED**, That Pennfield Charter Township Board agrees to affirm and practice the following Principles of Governance as recommended by the Michigan Townships Association.

- Insist on the highest standards of ethical conduct by all who act on behalf of this township;
- Bring credit, honor and dignity to our public offices through collegial board deliberations and through diligent, appropriate responses to constituent concerns;
- Actively pursue education and knowledge, and to embrace best practices;
- Treat all persons with dignity, respect and impartiality; without prejudice or discrimination;
- Practice openness and transparency in our decisions and actions;
- Cooperate in all reasonable ways with other government entities and to consider the impact our decisions may have outside our township’s borders;
- Communicate to the public township issues, challenges and successes, and welcome the active involvement of stakeholders to further the township’s well-being;
- Strive for compliance with state and federal statutory requirements;
- Refuse to participate in any decisions or activities for personal gain, at the expense of the best interests of the township;
- Further the understanding of the obligations and responsibilities of American citizenship, democratic government and freedom.

Moved by: Trustee Damerow                      Supported by: Trustee Herbstreith

Supervisor Morgan – Yes                      Trustee Damerow – Yes  
Clerk Case – Yes                                  Trustee Goodman – Yes  
Treasurer Jackson – Yes                      Trustee Herbstreith – Yes  
Trustee Skelding – Yes

Vote shows 7 yes, -0- no. **Resolution 17-62 is adopted.**

**5. Adoption of Pennfield Charter Township Resolution 17-63**

**PENNFIELD CHARTER TOWNSHIP RESOLUTION 17-63  
(a Resolution approving the AMSA recommend Work before Permit fee from \$42.00 to \$150.00 in Pennfield Charter Township)**

**BE IT RESOLVED**, that the Pennfield Charter Township approves the AMSA recommend **Work before Permit** fee from \$42.00 to \$150.00 in Pennfield Charter Township effective July 1, 2017.

Moved by: Trustee Damerow

Supported by: Trustee Herbstreith

Supervisor Morgan – Yes

Trustee Damerow – Yes

Clerk Case – Yes

Trustee Goodman – Yes

Treasurer Jackson – Yes

Trustee Herbstreith – Yes

Trustee Skelding – Yes

Vote shows 7 yes, -0- no. **Resolution 17-63 is adopted.**

**6. Adoption of Pennfield Charter Township Resolution 17-64**

**PENNFIELD CHARTER TOWNSHIP RESOLUTION 17-64  
(a Resolution approving the System Development charge and Consumption rate for Besco Water Treatment Inc.)**

**BE IT RESOLVED**, that the Pennfield Charter Township Board approves the following System Development charge and Consumption rate for Besco Water Treatment Inc., 20400 Capital Avenue N.E., Battle Creek, 49017.

**Whereas**, Besco Water Treatment Inc., will pay a reduced System Development charge totaling \$10,569.00 for 2 (two), 2” meter connections into the Pennfield Charter Township water main. Besco Water Treatment Inc. will pay the System Development charge in 48 equal monthly payments of \$220.00 per month with their monthly water consumption bill. No interest will be charged during the 48 months of payments. If Besco Water Treatment Inc. discontinues Water Service from Pennfield Charter Township any time prior to the end of their 48 months of payments they will still be required to complete the monthly payments of \$220.00 until the entire amount of \$10,569.00 has been paid in full to Pennfield Charter Township.

**Whereas**, Due to the large consumption of water that Besco Water Treatment Inc. will be using, their Water Consumption rate will be at a reduced rate of \$3.50 per 100 cubic feet and this rate will be guaranteed to remain the same for 5 years from the original date service. Readiness to serve fees will remain at whatever the current rate is throughout length of service. If original service dates do not take place prior to 10/01/17 this resolution will be void.

**Whereas**, Besco Water Treatment Inc. agrees to plug any and all abandoned water wells which will no longer be used on their property located at 20400 Capital Avenue N.E. in Pennfield Charter Township.

Moved by: Trustee Damerow  
Supervisor Morgan – Yes  
Clerk Case – Yes  
Treasurer Jackson – Yes

Supported by: Trustee Herbstreith  
Trustee Damerow – Yes  
Trustee Goodman – Yes  
Trustee Herbstreith – Yes  
Trustee Skelding – Yes

Vote shows 7 yes, -0- no. **Resolution 17-64 is adopted.**

### **TREASURER’S MONTHLY REPORT**

May, 2017 monthly report shows the following balances:

General Fund	\$1,151,980.81
2015 Road Bond	\$142,047.35
Metro Act – Maint.	\$4,090.89
Parks	\$5,365.35
Public Safety	\$350.19
Sewer	\$929,416.65
Sewer – SAW Grant	\$0.00
Water	\$1,140,833.36
Trust & Agency	\$12,572.17
Tax Collection	\$130.47
Weed Control	(\$2,014.93)
<b>TOTAL:</b>	<b>\$3,384,772.31</b>

It was moved by Trustee Damerow and supported by Trustee Herbstreith to approve the Treasurer’s monthly report. **Motion carried.**

### **PAYMENT OF MONTHLY BILLS**

It was moved by Trustee Damerow and supported by Trustee Herbstreith to approve the payment of the monthly bills in the amount of \$211,714.53. **Motion carried.**

### **EXTENDED PUBLIC COMMENTS**

A resident had questions on the permit process, dangerous buildings and the rental ordinance.

### **TOWNSHIP BOARD MEMBER COMMENTS**

Trustee Damerow – None

Trustee Herbstreith – Had questions on permits and wants more supporting documents in the board packets

Treasurer Jackson – None

Clerk Case – None

Trustee Goodman – Wanting to know when the changes to MERS would be voted on

Trustee Skelding – Would also like more supporting documents in the board packets.

## ANNOUNCEMENTS BY CHAIRPERSON

The next regularly scheduled Township Board meeting will be Tuesday, July 11, 2017. The next recycling weekend will be June 24<sup>th</sup> and 25<sup>th</sup>.

It was moved by Trustee Damerow and supported by Trustee Herbstreith to adjourn the meeting at 7:30 PM. **Motion carried.**

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David P. Morgan – Supervisor

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Kathleen R. Case – Clerk



## ADDENDUM A – DEPARTMENT REPORTS

### UTILITIES

The stats for the month of May, 2017 are as follows: 1,200 meter reads, 4 corrective work orders and 23 Miss Digs. All fire hydrants in the system were flushed and greased.

### CODE ENFORCEMENT

The following was completed for the month of May, 2017:

1. Conducted property inspections for new complaints and follow up inspections of previous complaints.
2. Received 37 new complaints: 2 front yard parking, 29 grass, 5 junk/trash and 1 Township Ordinance

### ASSESSOR

1. All Homestead forms, Property Transfer Affidavits & Deeds are current. There were 23 transfers of property for the month: 21 regular sales, 1 tax sale and 1 foreclosure.
2. Updated sketches of properties
3. Miscellaneous phone & in person inquiries about assessments, splits & descriptions.

### CEMETERY

Burials – 2	\$750.00
Foundations – 1	\$300.00
Grave sale/transfer – 2	\$1,000.00
<b>TOTAL:</b>	<b>\$2,050.00</b>

### PERMITS

Building – 8	\$2,016.21
Electrical – 6	\$811.00
Mechanical – 7	\$743.00
Plumbing – 1	\$150.00
Zoning – 5	\$350.00
<b>TOTAL:</b>	<b>\$4,070.21</b>