



ACME TOWNSHIP SPECIAL BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
WEDNESDAY, SEPTEMBER 12, 2007, 7:00 p.m.

Meeting called to Order by Clerk Dunville with the Pledge of Allegiance at 7:02 p.m.

Members present: B. Boltres, D. Dunville, P. Scott, E. Takayama, F. Zarafonitis
Members excused: W. Kladder
Staff present: S. Corpe, Township Manager/Recording Secretary
C. Bzdok, Legal Counsel (8:00 p.m.)

INQUIRY AS TO CONFLICTS OF INTEREST:

- A. APPOINT MEETING MODERATOR: Motion by Takayama, support by Boltres to appoint Dunville to moderate the meeting. Motion carried by unanimous roll call vote.**
- B. LIMITED PUBLIC COMMENT:** None
- C. CONDUCT INTERVIEWS FOR TOWNSHIP SUPERVISOR:** The order in which candidates were to be interviewed was chosen by random draw. Scott read into the record a letter dated 09/11/07 from Doug Dunnigan whereby he withdrew his name from consideration. Scott asked that each candidate begin with a brief (5 minute) personal statement.

Jay Zollinger

Mr. Zollinger has been a township resident for approximately 7 years, and his wife is the current Deputy Clerk. He feels that the timing of the loss of our prior Supervisor was unfortunate, with a year left in his term and so many issues to address. He applied for the position because he feels that his past executive experience gives him the skills he needs to successfully negotiate a solution to our current issues. He believes identifying what the majority desires and acting on it for the common good is necessary. He would be a strong leader, while recognizing that he is one vote among many on the Board. He is pro-growth, believing that appropriate zoning and planning is required to help the township excel regionally and state-wide. There are 6 development applications on the table that will be addressed; some will be approved and some not, some may be built or not depending on economic forces. He is retired and has the time and energy to devote to the township, both within its borders and relative to regional issues.

Scott asked Mr. Zollinger for an example of his most important contribution to any municipality in which he has lived. Mr. Zollinger replied that he volunteers for VASA and with the Sweetwater Evening Garden club which maintains many public parks in Acme and Whitewater Township. He has attended many meetings but has not been on any boards or committees.

Dunville asked what Mr. Zollinger would ask if he were doing the interviewing and the roles were reversed. Mr. Zollinger felt that this question would be difficult to answer because he is not in the Board's position.

Dunville asked what traits are most important for a Supervisor. Listening, negotiating, building consensus (not necessarily universal agreement) and getting along well with people in any circumstance were listed.

Boltres stated that all of his questions have been satisfied.

Takayama asked if Mr. Zollinger is familiar with the Master Plan Future Land Use Map process; he participated in the process. Takayama asked him to rate the process, he gave it an "8." Mr. Zollinger

believes that many people came into the process with a preconceived notion of the outcome, but came away with something different and bigger. Plans grow and change over time. He does not believe the township received full value in terms of a vision for what it paid.

Takayama asked if Mr. Zollinger is familiar with the term “least common denominator,” within the framework of negotiations, meaning that all parties have reached an impasse. What is his least common denominator (LCD) as a potential Supervisor: at what point would he say he has given all he can give? Mr. Zollinger stated that negotiation is all about give and take. Sometimes in business there is a set price beyond which someone can’t pay. Sometimes it’s relative to the amount of leeway one’s governing body has given you. A Supervisor can be limited by how far the rest of the Board is willing to go. Sometimes, regrettably, you do reach a point where you must say that you have made your best offer, but he feels that these situations are rare.

Zarafonitis asked if Mr. Zollinger would hold regular office hours; he would if he can find a place to sit so that people can get hold of him conveniently. It might not be efficient to be here 8 hours per day.

Zarafonitis asked for Mr. Zollinger’s feelings about the farmland and shoreline preservation programs. He is supportive of the farmland program, but has reservations about the shoreline program. He appreciates the vision, but wonders if the money would be better spent elsewhere at the current time. No new land or shoreline is being created, so we must plan for the future in a practical way based on available public and private dollars.

Zarafonitis asked for Mr. Zollinger’s opinion on the job the Board has been doing. Mr. Zollinger feels some things have been done very well and some could be done differently. He works as an election worker, and feels that on most issues the voting is fairly evenly split. As a member of the public he has to judge by what he hears or thinks he hasn’t heard, and may not have all the facts.

Zarafonitis asked if Mr. Zollinger would have been likely to run for the Supervisor position at the next election; he would not have been.

Wayne Kladder

Mr. Kladder stated that his decision to apply for the decision involved much thought. He has been involved in township government for at least 20 years, and he has concluded he would like to continue to do so at a greater level of responsibility. He would like to achieve some of the goals the Board has set for itself. He has lived in the community for about 37 years, has a Masters in Mathematics, undergraduate in Economics. He served in the Coast Guard and has been a math teacher in Traverse City. For a while he owned as many as three computer stores which are now the Computer Haus. He returned to teaching, and became involved in planning and growth issues through the Focus 20/20 initiative. He tends towards environmentalism and started to form a conservancy, eventually combining forces with Rotary Charities to form the Grand Traverse Regional Land Conservancy, where he became one of the original board members. He became interested in farmland preservation and was approached to run a campaign in five local townships; Acme is the only one which adopted a farmland preservation millage. He became Chair of the County Farmland Preservation Board, and has served on Acme’s Planning Commission and Zoning Board of Appeals. He would like to see what he can do as Supervisor to make Acme a great place.

Dunville asked for one or two critical township issues. Lack of trust was cited first. No matter what the Board does some people won’t like it. By acting with integrity and communicating well trust can be rebuilt. He feels the staff does a good job of answering questions for the public, and that the Board is also trying. Finances are another big issue. He attended a Sewer & Water Committee meeting this morning where there was discussion about starting an engineering study for a new sewage treatment plant. The township is talking about reconstituting the fire department, which is growing beyond being a volunteer force and towards full-time emergency staffing. Getting all the value for our money that we can and building relationships with our residents are key.

Dunville asked which governmental services he would consider are a top priority. Mr. Kladder stated that managed growth, including infrastructure and emergency services issues are at the top.

Boltres stated awareness of Mr. Kladder's credentials and asked no questions.

Takayama asked if there is something the current Board could have done differently to eliminate or settle litigation. Mr. Kladder stated an impression that most of the current litigation resulted from actions of the previous administration. Perhaps this Board could have gone along with their plans and actions, but it would not have been consistent with this administrations goals. There is an insurance policy issue. He finds it hard to respond because there are many things he is not permitted to say on the subject.

Zarafonitis asked if Kladder would keep regular hours; he would. He feels staff needs priority for office space. He would create a system whereby staff could make appointments for him. While taking a more active role he has learned how many meetings the Supervisor is called on to attend. Years ago the Clerk's office was off-site; now it's on-site and serves residents better.

Bill Foster

Mr. Foster stated that he has prepared some talking points, as health problems which have been successfully resolved prevented him from attending many meetings. He feels any of the three candidates can do the job, and it's a matter of who can work most effectively with the Board. Mr. Foster feels that Board meetings are very important as the key way for citizens to participate in government. Not all the problems of the world can be solved in a meeting, but people can be civil to one another. People need to work together and trust one another to create a successful future for the community. On this all candidates are clearly agreed. Disagreements with development interests, sanitary infrastructure and the potential closing of Bertha Vos Elementary are important, as are changes to the way emergency services are structured and funded. Development needs to be considered carefully. Mr. Foster moved here in 1986, living downtown for 20 years before coming to Acme. The people in the community are neighbors; how can they remain angry at people with whom they go to school, church or ball games? He recently served on his church Board and successfully rebuilt the structure and managed debt. They used a consensus form of decision-making which differs from Robert's Rules, whereby everyone expects to discuss issues and find common ground through compromise. He would like to incorporate those principles here, although he has run meetings under both models. "We" "them" "us" and "they" must be banished by "community." This is not a place for national politics in his opinion. We need to research funding opportunities from state and federal agencies and live within our means. He is generally conservative, concerned about the environment but aware that "humans are at the top of the food chain" with both privileges and responsibilities. He suggests taking initiative to invite desirable businesses into the community instead of reacting to haphazard development.

Scott noted that sometimes a Supervisor or Board member must take an unpopular stance, and asked how well Mr. Foster could handle being yelled at by a disappointed neighbor. Mr. Foster stated that he was a car salesman for many years, a sometimes hated profession. He had a high rate of customer satisfaction. He freely gave out his phone number and always welcomed a discussion. To sell well you have to listen well; if you know and understand a need you can figure out how to meet it. What if you reach a dead end? There is always another way to approach a question from a different perspective and never a time to give up. Sometimes it helps to have someone else take the lead.

Dunville asked how Mr. Foster would integrate industrial and commercial development with transportation and quality of life, and what role should the township play? Mr. Foster recalled a cartoon from some years ago depicting Acme's key intersection and a pole with numerous traffic signals. He believes M-72 should be widened to five lanes, and that there is room for industry to grow in the Bates area, particularly as it is served by a railroad. Shopping could be kept more central.

Boltres stated that Mr. Foster's narrative was very complete and he had no questions.

Takayama stated having met Mr. Foster only once, when he was campaigning door to door. He asked if Mr. Foster is familiar with and has read the Master Plan; he has not. He somewhat recalls discussions from about three years ago. Takayama stated that the consulting firm that initially was hired to help draft the Master Plan in 1996 conducted a survey to see what residents valued: what was on the list? Mr. Foster stated that the water, parkland and natural features preservation were on the list. He supports preservation of irreplaceable resources. However, humans are in control of their environment.

Takayama asked if Mr. Foster is familiar with the current lawsuits involving the township; he is generally aware. Takayama asked what might have been done in the decision-making process that could have avoided the lawsuits. Mr. Foster replied that the township could have acquiesced to everything asked of them by the development interests. The former administration "wined and dined" these interests and led them on in what he feels was an inappropriate fashion. The people voted in the current administration on a different platform. He is unsurprised that companies such as Meijer were surprised at the change in attitude and somewhat put out. He would support a Meijer here, somewhat smaller than the one proposed but perhaps somewhat larger than the K-Mart. A store whose customer base is only 5% Acme residents seems rather large. There's nothing the Board could have done to forestall the problem that had already been set in motion.

Zarafonitis asked about Mr. Foster's current employment; he is a courier 25 hours per week for Traverse City State Bank. He would have to leave that job if he were Supervisor, which he feels should be a full-time job. When he applied he was unaware that Kurtz had taken two pay reductions over the past several years. Other local townships pay between \$35,000 - \$60,000 for the position. He has also found out that taking the job would cost him his Social Security payments. His current job and the Social Security pay more than the Supervisor job currently does, and while he is interested in the position he can't afford to take a pay cut to \$30,000. Mr. Foster noted that when he lived downtown he worked with the Boardman Neighborhood Association. He helped get stop signs placed and retain the local courthouse when it was faced with demolition. He has been active in the community. By taking a pay cut Mr. Kurtz may have created a difficult situation for his successors. He understands that the budget is tight. He would be interested in serving as a Trustee if a position opened up; he volunteers at least 250 hours/year and views that as a volunteer job. He would enjoy working with the Board in some capacity.

Bzdok stated that the Board can choose to appoint a Supervisor this evening through a motion. There can be discussion between the Board members regarding what they have heard this evening. They can also poll the Board similar to the way the field was narrowed down at the last meeting, but a motion would still need to be made to make the matter official.

Gene Veliquette asked if public comment would be in order. Bzdok observed that there are designated public comment periods on the agenda.

The Board asked if the other candidates had a problem with the current rate of compensation; they do not. Mr. Zollinger stated that he thought the pay rate could not be raised until after the next election cycle; Bzdok stated that the Board can vote to increase salaries through a budget amendment as deemed reasonable. Reductions in salary require the consent of the person in question.

Zarafonitis believes that at present the Supervisor's compensation level should remain as is. Boltres feels that compensation clouds the issue at hand and is a separate discussion.

Zarafonitis feels that Mr. Kladder would be an excellent Supervisor, but would support Mr. Zollinger as Supervisor and retaining Mr. Kladder as Trustee.

Motion by Zarafonitis to appoint Jay Zollinger to fill the unexpired term as Supervisor. Motion

failed for lack of support.

Dunville feels both candidates are comparable, but that Kladder is already fully up-to-speed and involved with existing issues.

Motion by Boltres, support by Dunville to appoint Wayne Kladder to fill the unexpired term as Supervisor.

Boltres attempted to add to the motion an appointment of Mr. Zollinger as Trustee; Bzdok stated that this would be premature. If Mr. Kladder is appointed he would have to resign as Trustee prior to taking the Oath of Office, and then the Board would take action to fill his position. Plus, this is a special meeting and the matter of filling a Trustee position (that is not currently vacant) is not on the agenda.

Takayama appreciated the interview process, feeling he learned some new things about some very good people. For him it's a close race, and he leans towards Kladder because of his existing level of involvement and ability to create a smooth transition. With only about a year left in the term there is a lot to be done. He feels any of the three candidates would be good Supervisors and he thanked them for applying.

Motion carried by unanimous roll call vote.

Bzdok stated that Kladder needs to submit a written resignation as Trustee, and then he can be sworn into office. This does not require a public meeting or great ceremony. Mr. Kladder stated he could provide a resignation letter and be sworn in this evening.

A brief recess was called from 8:15 to 8:21 p.m.

Bzdok and Corpe recommended that it would not be appropriate to accept Mr. Kladder's resignation or swear him in this evening. Accepting his resignation was not on the agenda for tonight's meeting, and it could be inappropriate to amend the agenda because it is a special meeting at which not all Board members are present. Bzdok suggested that Kladder has already been granted interim executive authority, and he can continue to serve as a Trustee with signing authority until the next Board meeting. At the next meeting his resignation effective that date can be accepted, perhaps at the beginning. He can be sworn in and conduct the meeting as Supervisor, and an agenda item at the next meeting can be to discuss the process for selecting an individual to fill his position.

Motion by Scott, support by Dunville to plan the October 2 meeting agenda to begin with an acceptance of Mr. Kladder's resignation as Trustee, swearing in as Supervisor, and discussion of selection of and potential selection of a Trustee. Motion carried unanimously.

D. PUBLIC COMMENT:

Mr. Veliquette was going to support Mr. Kladder's candidacy, feeling that his work predating this meeting and his tenure as a Trustee has shown him to be fair and to be supportive of farmland and open space preservation. Perhaps the Board should be more trusting and less legalistic, and that it's unfair to ask him to work without pay for the rest of the month. He would not object, and given the Board's past actions this seems like too much caution. The candidates were asked what the Board could have done differently in the past to avoid litigation. He feels the answer is that the new Board should not have fired its former legal counsel and replaced him with a lawyer who previously represented the people who were suing the township, and joined the citizens in opposing the developers. He protested this action at the time. Because of this Meijer presented an additional development application on their own property rather than on the town center property, and the approval of their application has become the subject of additional lawsuits.

Meeting adjourned at 8:29 p.m.