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## Blair Twp. must pay legal fees

By VICTOR SKINNER

TRAVERSE CITY — A circuit court judge ordered Blair Township to pay mediation costs and legal fees in a labor dispute with a former zoning administrator.

Blair Township Trustee Larry Fleis and Clerk Betty Tharp agreed in writing in December to reimburse former zoning administrator Marvin Radtke Jr. for \$22,500 in unpaid overtime hours, but they and other board members voted against the agreement at a township meeting the following day.

That prompted a protest from Radtke's attorneys before 13th Circuit Court Judge Philip Rodgers.

"That is the effective equivalent of going into the negotiations with their fingers crossed behind their backs," **Lawrence R. LaSusa**, Radtke's attorney, said at a hearing Tuesday.

Radtke contends in a suit against the township that he was fired in May during a labor dispute; township officials said he resigned.

Rodgers said he could not enforce a settlement agreement that the township board unanimously rejected, but he ordered the township to pay mediation costs, as well as legal costs for Tuesday's hearing.

"The town board picked their representatives and the town board can pay the costs," Rodgers said.

Township attorney Dan White argued that political and other factors caused township board members to change their minds.

"I am the guy that is supposed to be steering the ship," White said. "The problem ... is I didn't appreciate the volatility of the situation and how literally overnight things can change."

Radtke's lawsuit alleges former supervisor Patrick Pahl and Blair Township violated Radtke's rights under the Fair Labor Standard Act, the Whistleblower's Protection Act and breached Radtke's employment contract.

Fleis had no comment on the ruling or why he voted against the proposed agreement.

White also had little to say about his clients' change of mind.

"The court has specifically ordered the method of presenting Mr. Fleis' explanation, namely in writing to the court. Therefore, it would be inappropriate for me to do it in any other way," White said.

A panel of three lawyers will evaluate the case this month in another effort to settle, White said.

The total cost of mediation and legal fees owed by the township was not available.