

Fredonia Township Board-Regular Meeting
August 19, 2019 6:33 PM
Fredonia Township Hall
8803 17 Mile Rd, Marshall, MI 49068

MINUTES

BOARD MEMBERS present: Doug Damon, Supervisor Karen Diver, Clerk Paul Baranowski, Treasurer Jerry Diver, Trustee JC Skowron, Trustee

STAFF present: Phil Damon, Fire Chief Dianna Baker, Deputy Clerk/Cemetery Sexton Roger Smith, Assessor Pamela Jo Eastman, IT Jacob Washburn, Deputy Supervisor/FD Training Officer Dan Livingston Sr., Calhoun County Planning Commission Dan Livingston, Jr., Road Committee George Crandall, Twp. Planning Committee

PLEDGE OF ALLIGENCE

PRAYER by Doug Damon

AGENDA – Additions/Deletions: Additions: FOIA & Procedure Manuals to Old Business, and Annexation to New Business. Deletions: Remove Assessor wage.

MINUTES FROM PREVIOUS MONTH:

Motion made by Jerry Diver and supported by Paul Baranowski to amend and approve with adding Jacob Washburn to the Staff present section of the 6/28/2019 minutes.

AMENDED AND APPROVED

Motion made by JC Skowron and supported by Karen Diver to approve the minutes of 7/15/2019. 3 Ayes 1 Nay

APPROVED AS READ

FINANCIAL REPORT read by Paul Baranowski
NO CORRECTIONS REQUESTED

PLACED ON FILE FOR AUDIT

READING OF THE BILLS by Karen Diver
NO CORRECTIONS REQUESTED

Motion made by Paul Baranowski and supported by Jerry Diver to accept the *Reading of the Bills* as read. JC would like the Chemical Bank charges added to the bills listing next month, and then added that she would like to see all of the credit card statements.

APPROVED AS READ

CORRESPONDENCE: Karen read letters regarding the cemetery from Drumm & Boughton families and Dianna read one from the McMillan family and also one from an anonymous family.

PUBLIC COMMENTS FOR ITEMS ON THE AGENDA: Dan Livingston Sr. had 3 comments; #1: Dump the procedures manuals, #2: Need Job Descriptions, #3: Is under new business but it is in regards to Assessors

wage-Website says \$16,000 and should be \$13,000 and \$6,000 for canvassing. The Assessors wage should not have an increase until the budget is balanced and we have a surplus.

REPORTS:

Fire Department: Jacob Washburn reported 5 fire runs and 8 medical runs with training. They had active shooter training down in Tekonsha. Also did coverage at the Fair. Congratulations to Dan Cole, as he passed his medical first responder state and national registry.

Road Committee: Dan Livingston Jr reported that they had their quarterly meeting a couple weeks ago. John, from the County Road Dept. came; they are still on track to do, before the end of the year, 15 ½ mile road north of C Dr S. He also brought up the intersection here at the corner of F Dr S and Old 27, there are some safety concerns. He did confirm that it is a state intersection and that they do control that. Dan reached out to Nick Cheruba at MDot and it would be passed on to Engineering, about the unsafe corner. He didn't get an initial response but it will be passed on to the appropriate people. Dan commented that it should be a stop light or a 4 way stop or something different. Stop lights are meant for traffic flow not traffic safety although it would not be ruled out. The next meeting will be 11/12/2019.

County Planning: Dan Livingston Sr. reported that they are looking at PA116s & still looking at various townships submitting township zoning ordinance amendments concerning solar and then some discussion about the end of product cycle or 30 year contract and also about having a decommissioning plan.

Cemetery: Dianna Baker reported that there were 3 burials this past month. The driveway has been done and all the brush has been chipped and taken away.

IT: Pamela report that Karen approved the purchase of a new printer in the hallway and it has been set up and installed on all the computers. She is currently working on the Treasurer's laptop as it suffered an automatic download by Windows and is basically a boat anchor now. Reminder that items need to be forwarded to her for the Website if we want them posted. Paul asked about selling the old printer and Pam said it should be discarded not sold.

Fredonia Planning Commission: George Crandall reported that they have heard back from John MacFarlane with their questions and he has responded with a few of his own and expectations to meet and go over it. Next meeting is August 27, 2019.

Assessor: Roger Smith stated that there are some things that he would like to have done for the department but we don't have any extra money. The county is doing an aerial flight and if we don't participate and pay for our section, our township, we won't be able to view it. It is about \$10,000 and it is payable over 3 years.

Zoning/Ordinance Enforcement: None.

Old Business:

Doug introduced the candidate, Philip Small, whom is an applicant for the Zoning/Code Enforcement officer and have received 2 other applications. We will set up a meeting and talk to all 3 so we can get the position filled. We have a couple of zoning issues that need attention. Paul made available the breakdown of when certificates are due to JC as requested. She asked if there was board approval for the investments to roll over. Paul stated no, they roll over automatically and they are due to do so in April of 2020. He didn't want to make any changes until we had an Investment Policy in effect. Doug announced that the annual audit has been moved to September 23, 24, 25 by Gabridge. FOIA request by Cindy Thomas was discussed. She stated she never got a denial and some of the information, in her opinion, was concerning.

Paul stated that the 46 journal entries that were reversed were duplicates and needed to be done because they were duplicates. Also, clarification on the raises; I don't believe, as a board, we ever did approve any raises just because we budget a number, is not the same as voting on a raise for any one employee. It's a budget, it is simply what we intend on spending, not necessarily mean we gave anyone a raise. Paul then stated last,

regarding the appointment of the Supervisor. Paul did reach out to MTA about the delegating of duties and the compensation and according to MTA, no board member has the ability to unilaterally delegate duties including doing the budget and approving additional compensation and our auditor had said the same thing. So in the end, it was and is Doug's duty and if he recommended somebody else do it then he should have brought it to the board and asked for the board's approval to have others help with the budget. It was mentioned at a couple meetings that that was a process that needed to be followed. Cindy responded that as long as it's his product and there was no cost to the township, he didn't do wrong. Paul stated that there was a cost of \$4,000. Cindy stated there wasn't initially, until there was some tedious stuff between the Board because the minutes make it clear. The audio tapes of the meetings make it horribly clear. She stated she listened to several meetings more than one time. Jacob said Doug created a committee with the power to act. Paul agreed. Jacob said other things happened and then the township had to pay. Paul read his email to the MTA attorney about a supervisor delegating duties to a Trustee to develop a budget. Paul wanted the attorney to identify the statute so that he could read more about it. The attorney stated "It does not exist." Jacob stated that board approval was not needed. Paul disagreed and did not argue the point anymore. Dan Livingston stated, "The thing that grinds the tax payers is \$4,000 that was paid to Pamela, I understand, for doing the budget. 400 hours is what she stated she had for developing the budget. That's ten forty hour weeks and I am here to say it should not take ten forty hour weeks to do a budget that's only about \$300,000 total. Dan stated that was obscene and it should not have been paid. Jacob announced that he understood and we needed to get back to the FOIA. No further comments. Procedural Manual status: JC wanted to know how and what was done, up until this point by the clerical positions like Karen, Paul and Dianna. Nothing has been done. JC thought it was in the May meeting, that these were approved. JC said if anyone needed her help she would help them with it but she has not heard anything. She has a preliminary one for IT but that is it. Cindy stated it was in the May minutes. Jerry stated that was not his recollection. He said it was for office employees, not elected officials. JC stated "Clerical positions". Cindy said job function and how you do your job are two different things. Doug stated it was passed and we need to work on that.

New Business:

Snow Plowing to be addressed. Do we take bids or keep Rodney Mauer if the prices are the same. Jerry made a motion to put an ad in the paper and was supported by Paul.

MOTION CARRIED

City of Marshall; Doug stated he was approached today that the City of Marshall would like to annex up to the NW corner at F Drive S at the blue house. George Crandall asked if it would be both sides and Doug was not sure but it was at least, the west side. Doug stated that the person that told him about it said they had wrote grants for the state and federal to get water and Meijer, which has been turned down by the City of Marshall, could possibly be interested in something like this near the exit here. It's just something that we need to be aware of.

Job Function: JC thought it to be commendable that Jerry Diver helped us out on the mowing at the Lyon Lake Cemetery but apparently his personal life and work life has compromised the time he thought he would have to apply toward the mowing and weed whacking. JC made a motion that, "We rescind that contract and a couple bids that we received that Dianna, since she is Sexton, would review those and act accordingly. Jerry excused himself. Karen excused herself. Paul stated he did not feel comfortable with this being just added on at the last minute to make any decisions at this time.

MOTION DIES WITH A LACK OF SUPPORT

JC, then, stated she wasn't done. She also stated that she "thought it was commendable that he is so in tune to "officiatory" because on everything that we have been issued to us in the last few months in regard to the Treasurer's responsibility, access to the General Ledger for doing journal entries is not one of them. That's the Clerk's job. And being that we have had, you know, some of the stuff that Cindy has brought up with the FOIA

stuff, but then recently your accessing and trying to change the set up within the BS & A software without board approval, I do not think is appropriate and being that the Treasurer responsibilities do not include any General Ledger Maintenance, that falls under Karen's responsibility, so therefore, I make a motion you be removed to "read only" access to the General Ledger. Because we are going to get dinged on it when we get audited because you're making deposits, you are recording them in the General Ledger and that is override of internal control. There's going to be issues.

MOTION DIES WITH A LACK OF SUPPORT

Paul wanted to respond to JC, it was decided he could during "Board Comment".

Public Comment:

Cheryl Fox said that the Farmer family has rented this hall for decades and they left a note. Dianna got it and the one the Amsler family left. Cheryl also stated that a sign is needed at Lyon Lake Cemetery. Also, attended the June meeting to see if the Admin Fee on the tax bill was for raises because she heard it was. She stated Jerry was a nuisance 47 years ago and still is.

Cindy Thomas said permits could be resourced out and found one that incurs no cost. She will give info to Karen.

Dan Livingston Sr. stated that he went to the Zoning Ordinance on the website to look at the Zoning Administrator. It stated in the absence of the Zoning Administrator, the board shall designate an interim person to take over all duties. He asked how Dianna got appointed. Doug stated that when we got Clyde's resignation, because of her experience, he asked her if she would do it until we got somebody. Dan stated according to the ordinance, Doug does not have the authority to do that and anything she has done is not valid because she was not appointed in the proper way. In fairness to the candidates, they need to be given the duties of the Zoning Administrator because the past administrators have not been doing what they are supposed to do. The board was asked to read it before someone is hired. Several meetings back, Trustee Diver brought to the attention of the Assessor that the former Girl Scout property was not uncapped when it changed ownership. Roger had stated it was between two LLCs and they were the same members of the LLC. Upon further investigation, no, they aren't the same. A letter was sent to produce information or the township could and will go back three years which would be thousands of dollars of increase in taxable value but, apparently they didn't respond. Dan stated that if a raise is being considered for the Assessor, it needs to be assured that due diligence is being practiced on these properties and that he provide a monthly written report and a summary of the board of review meetings. The Board of Review signed off on the documents to raise it for three years. Roger notified them in July that it would be uncapped and we would be collecting for three years back. Dan stated he appreciated Jerry for him notifying the Assessor he needed to do his due diligence in this matter. Also, on the website, there is no agenda posted for tonight's meeting and no 2018-19 budget posted and wondered why.

Dianna Baker read the letters from the Farmer and Amsler families regarding the hall. Jerry Diver asked how often and who cleans and maybe we need to revisit the collection of a deposit and give the janitor a list of when it is rented. Pam stated the extra funds need to be filled in on the budget. She stated that the cemetery line items need to be fixed to reflect the Pontem work to be paid hourly. Jerry suggested that maybe should eliminate the Pontem software however, Karen stated that we have it, we paid for it, and it should be used.

Board Comment: Jerry stated he would like the dates of correspondence from the cemetery letters. Karen provided 8/9 and 8/12. Jerry read his text from Dianna to not mow. Doug gave Jerry his duties as to mow when he sees fit.

Paul read his letter of resignation: Over the last 9 months of my office, I have enjoyed serving as township resident, Treasurer and Board member. There have been many challenges of which relate to a toxic work environment. I know I have shared many of my frustrations and issues at previous meetings but I thought I

