

Charter Township of Emmett
Regular Board Meeting
January 10, 2013

Supervisor Hill called the meeting to order at 7:00 p.m. on Thursday January 10, 2013. The meeting was held at the Township Hall: 621 Cliff St, Battle Creek, MI 49014. The Pledge of Allegiance followed the opening.

BOARD MEMBER ATTENDANCE

Gunning, Myers, Buller, Talbot, Dougherty, and Hill

QUORUM PRESENT

APPROVAL OF AGENDA

Motion 13-1-1 by Gunning / Dougherty to approve the Agenda as printed by Teresa Myers, subject to any corrections.

Roll Call Vote: Buller, Myers, Gunning, Talbot, Dougherty, and Hill **ALL YES**

MOTION CARRIED

APPROVAL OF CONSENT AGENDA

Motion 13-1-2 by Buller / Gunning to approve Consent Agenda without discussion

Roll Call Vote: Myers, Gunning, Talbot, Buller, Dougherty, and Hill **ALL YES**

MOTION CARRIED

Treasurer's Report:

The Monthly Treasurer's Report with balances on hand as of December 13, 2012

General Fund	\$ 61,396.19
SW Emmett Sewer/Water	\$ 1,445,992.18
Sanitation Fund	\$ 224,293.29
Project V Sewer Fund	\$ 193,486.77
Drug Forfeiture Fund	\$ 62,938.76
Public Safety Fund	\$ 16,978.05
Public Safety Casino Fund	\$ 0
Public Safety Extra	\$ 107,609.01

The Monthly Departmental Report:

Planning Commission and Zoning Board of Appeals Minutes as printed.

Communications:

Announcements:

Township Planning Commission – January 16, 2013

Z.B.A. Meeting – Cancelled

Next Township Board Meeting – February 14, 2013

Township Board Vacancy (Refer to Township Attorney)

There was much discussion on the Board Vacancy with our Attorney, Mr. Maichele and all Board Members. This discussion was tabled until later in the meeting.

Motion 13-1-3 by Gunning / Dougherty to table Board Vacancy until later in the meeting.

Roll Call Vote: Myers, Buller, Talbot, Gunning, Dougherty, and Hill

Acknowledgment of the Boy Scout Troop that was there to observe by Dougherty

MONTHLY CHECK REGISTER

Motion 13-1-4 by Talbot/Dougherty to accept the Check Register as printed with some discussion/ Buller on Cemetery Fees and what services we pay for during winter months. Talbot answered that per contract we pay a monthly fee.

Gunning commented that due to the financial condition that the Township is in, all non-essential P.O.'s should be looked at before anything is purchased. There was discussion of normal needs.

Roll Call Vote: Gunning, Talbot, Myers, Buller, Dougherty, and Hill

**ALL YES
MOTION CARRIED**

PUBLIC COMMENTS

District 5 County Commissioner, Derek King, thanked everyone for their support. Commented that so far everything is going smooth. He also discussed the resignation of Kevin Henning and wished him well. King also stated that Mary Jo Crumpton was helping fill-in until the position was filled. There was much discussion on Parks & Roads, with the Board and King.

A representative from the Resident Association of the Triangle Mobil Home Park asked the Board where the park residents could possibly get the help they need to have the needed repairs to the trailers done as they are falling apart. There were several Board Members that commented that they'd tried to get ahold of Mr. Ramirez without success. Attorney John Lohrstorfer advised them to get ahold of the Mobil Home Park Association in Lansing.

Public comment congratulating all on the Board Members elected. Also commented on the fact that Mr. Maichele had been voted in by the people and should be sitting up with the Board.

DEPARTMENT VERBAL REPORTS

Supervisor

Nothing at this time

Clerk

Nothing at this time

Treasurer

Talbot still collecting tax bills

Planning and Zoning Business

Tabled until the next meeting

Assessing

Tabled until the next meeting

Public Safety

Chief Olson stated that they had 731 calls for the month, 141 arrests, & 145 tickets for the month. Olson also stated that they had 2252 Traffic tickets for the year, also in December there was 78 medicals 3 fires calls. The most significant was the very bad accident on Eleven Mile Road with a semi and a pickup truck. There were several that were injured, very bad; the Jaws of Life had to be used to extricate them. There were several Ambulances and Life Care involved. Olson stated another busy month and that it was a good one.

Public comment on what a great job the Officers had done at the Eleven Mile Road accident.

RESOLUTIONS AND PROCLAMATIONS:

UNFINISHED BUSINESS

Reaffirming Building Inspector and adding extra duties as Township Trustee
Motion 13-1-5 by Gunning / Myers for Buller to abstain from the vote

Roll Call Vote: Talbot, Buller, Gunning, Myers, Dougherty, and Hill

**ALL YES
MOTION CARRIED**

Motion 13-1-6 by Dougherty/Myers to reaffirm Building Inspector and adding extra duties

Roll Call Vote: Talbot, Gunning, Dougherty, Myers, and Hill

**ALL YES
MOTION CARRIED**

NEW BUSINESS

Discussion of the Casino Contract with Chief Olson in which he read a letter that he received from the Tribe. The Board had a lot of questions about the letter received from the Tribe and the five officers and what would potentially happen to them. Attorney Lohrstorfer also answered some questions about the Contract.

P.O.'s That Need Approval

- 1) Mobil Data Computers line item (205-326-850.07) the amount is \$1,624.19
- 2) Critical Computer Solutions for remote Monitoring & Maintenance Program the total price is \$4,380.00 this will be divided by line items (205-326-805.00, 101-258-805.00, & 101-258-803.00).

Motion13-1-7 by Dougherty/ Gunning to approve the two p.o.'s with questions answered.

Roll Call Vote: Gunning, Buller, Myers, Dougherty, Talbot, and Hill

**ALL YES
MOTION CARRIED**

Public Comments

Public comment on Enbridge, the oil spill and all that they have done for the Community. He would like to publically thank Enbridge.

Public comment about being very disappointed in how the board is handling the Maichele situation.

Public comment on being fed up with the whole government process.

Public comment on night road crews and people giving them the right of way and getting something passed to help the workers out. Another audience comment about the fact that there is already a law on this.

Attorney Lohrstorfer on continuing with the Maichele situation and the fact that he did not get sworn in by January 1st, 2013 still leaves the seat vacant. Lohrstorfer also commented on the fact that we have forty five days from the 1st of January to appoint someone to this position.

Trustee Comments

Question from Buller on the swearing in of Maichele and that isn't the only situation here. There is the ordinance issue on Liquor License. Also the questions that Buller and other people get asked about Maichele currently living in a Trailer/ Garage which also goes against our Township Ordinances. Things keep mounting and mounting this is the final chapter.

Dougherty with a couple things one being on the background of the Maichele Situation starting from a year and a half ago with residency and back taxes being owed. Second Dougherty asked if the swearing in was an Ordinance or State Law it was answered that it was a state law. Dougherty commented on us going by what the state said, and stated, that if you did not like the law change it.

Maichele commented that with his conversation with Mrs. Norlander that there was a stipulation on special circumstances to the swearing in process and that was the way she left it. Maichele had also indicated that Norlander refused to swear him in for an unknown reason. There was more discussion with this issue with Mr. Dougherty and Mr. Maichele.

Hill stepped in and said we have forty five days to review the situation to either appoint Maichele or take applications for this vacancy which we will be doing until the end of the month.

Gunning on taking forty five days to examine everything to appoint Maichele or other applicants and make a decision on February 14th 2013 which would be our next board meeting.

Motion 13-1-8 by Gunning/ Dougherty to take interested parties applications and appoint the person of interest on the February 14th 2013 board meeting.

Roll Call Vote: Buller, Myers, Dougherty, Talbot, Gunning, and Hill

ALL YES

MOTION CARRIED

Adjournment

Motion 13-1-9 by Gunning /Buller to adjourn 8:45p.m.

Voice Vote: Gunning, Dougherty, Myers, Buller, Talbot, and Hill

**ALL YES
MOTION CARRIED**

Timothy Hill Supervisor
Emmett Charter Township

Teresa Myers Clerk
Emmett Charter Township