

Charter Township of Emmett
Regular Board Meeting
September 12, 2013

Supervisor Hill called the meeting to order at 5:45 p.m. on Thursday September 12, 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

Jacox, Buller, Myers, Gunning, Talbot, and Hill
Dougherty – Excused

QUORUM PRESENT

APPROVAL OF AGENDA

Motion 13-9-3 by Buller/ Gunning to approve the Agenda as printed by Teresa Myers

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

**ALL YES
MOTION CARRIED**

APPROVAL OF CONSENT AGENDA

Motion 13-9-4 by Buller/ Gunning to approve Consent Agenda with changes made by Buller to remove the 115 Keathley Drive from the Agenda as this was a blight issue not weeds.

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

**ALL YES
MOTION CARRIED**

Treasurer's Report:

Receive and file the Monthly Treasurer's Report with balances on hand as of: August 31, 2013,

General Fund	\$ 946,504.57
SW Emmett Sewer/Water	\$ 1,348,202.48
Sanitation Fund	\$ 252,169.23
Project V Sewer Fund	\$ 196,021.49
Drug Forfeiture Fund	\$ 50,851.64
Public Safety Fund	\$ 61,569.75
Public Safety Extra	\$ 340,374.24

The Monthly Departmental Report:

Planning Commission and Zoning Board of Appeals Minutes as printed.

None

COMMUNICATIONS & SIMPLE MOTIONS

Motion to acknowledge the enforcement of Article III, Noxious Weeds, and to authorize the Township Treasurer to place a tax lien against the following to include an additional \$25.00 administrative fee:

PROPERTIES:

47 W Alden	\$ 145.00
52 W Alden	\$ 45.00
120 Bowers	\$ 90.00
4283 Council Crest Circle	\$ 95.00
6514 D Drive North	\$ 115.00
961 Golden Avenue	\$ 85.00
201 Manor	\$ 60.00
1396 East Michigan Avenue	\$ 85.00
Vacant Lot O’Neil St. (13-10-620-033-01)	\$ 90.00
1700 Woodland Beach	\$ 70.00
15075 61/2 Mile Road	\$ 100.00

Notice of Authorization permit number 13-13-0025-p-Sheila Jones 7894 E Drive North – purpose is to replace a seawall.

Announcements:

- Township Planning Commission – September 18, 2013 7:00 p.m.
- Z.B.A. Meeting – to be announced
- Next Township Board Meeting – October 10, 2013 at 5:30 p.m.

MONTHLY CHECK REGISTER

Motion 13-9-5 by Gunning/Buller to accept the Check Register as printed.

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

**ALL YES
MOTION CARRIED**

DEPARTMENT VERBAL REPORTS

Supervisor

Stated that Dave Cunningham and he were going to start deweeding the Barnes Park area on Friday September 13, 2013. Hill also commented that he would be starting a political show next week on Access Vision.

Clerk

Stated that she has been working on resolutions and getting ready for tonight's meeting.

Treasurer

Last day to pay taxes without penalty is Monday 9-16-2013 as the 14th is on a Saturday. Talbot also said that if the taxes were left in her drop box Monday night 9-16-2013 she would except them on Tuesday morning as long as they were in the drop box before she arrived on Tuesday morning. Talbot stated she would like to address allegations that have been circulating by one or more of our Board Members, as she was advised to bring them out into the open. The first one being that someone on the Board felt that Talbot was not properly bonded. Talbot explained that our Township Attorney had received so many e-mails that he called Clerk Myers to see what was going on. Clerk Myers explained the situation and per his advice she contacted our Insurance Agent and found out that all Board Members were all bonded at different levels, however, in regards to Talbot, said they would send us an individual paper for the Treasurer specifically to put in the files at no extra cost. Talbot also stated that she has copies of the bonds if anyone would like to see them. The second issue was that Talbot was told by the former Supervisor that there had been an illegal transfer of money to Public Safety last year of \$925,000.00 Talbot explained that was how a former trustee on the previous board had wanted the transfer done for that budget year. Talbot stated that if she had been asked about the issue she could have explained it. Talbot also stated that she had received several phone calls from people who said they have overheard a few Township Board members claiming that the Treasurer was hiding money. Talbot stated that there's no way she could be hiding money as the Deputy/Clerk and Treasurer have to balance regularly. Also she stated that we have just finished our Audit and if she had been hiding any money they would have found it. Talbot also talked about how everyone last year had tightened their belts on the budget including Public Safety and the fact that last year was the first time in a long time that no money had to be borrowed from the sewer fund to make it through the year. Talbot explained that by bringing out the allegations in the open, she hopes that all can be laid to rest so she doesn't have to seek legal action.

Planning and Zoning Business

Case stated that Battle Grounds Skate House; a youth center, at 923 E Michigan would like the fee for their Conditional Use Permit waived. The Board stated that they would need more information on why they are a non-profit organization.

Case also brought to the Board a Performance Resolution for Governmental Agencies. Case stated that this needed to be signed and sent back in order to do permits with the State. Buller asked Case if this was to do permits with MDOT; Case said yes. Gunning asked what the permits were for. Buller stated for MDOT right of ways.

Motion 13-9-6 by Gunning/ Jacox to except the Performance Resolution for Governmental Agencies.

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

**ALL YES
MOTION CARRIED**

Gunning stated that the Planning Commission recommended to approve Battle Creek R.V.'s. Special Use Permit without any restrictions as to hours of operation/business and does not think that as a Township we should control somebody's hours of business especially since we are trying to promote business to the Township.

Motion 13-9-7 by Gunning / Buller to approve Battle Creek R.V.'s Special Use Permit without restrictions.

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

**ALL YES
MOTION CARRIED**

Assessing

Leslie stated that he had contacted Consumers Energy to see about converting our street lights to LED lights and found out that this would cost over one million dollars and 25-30 years to recoup the cost. However, Leslie did enroll the Township in a special program to convert our Mercury Vapor to High Pressure Sodium for free which will take approximately two years to complete then we should see a 6-7 thousand dollar savings.

Public Safety

Chief Olson went over the Monthly Activity Synopsis for the Month of August 2013. Olson stated that there was a slight decrease from last month to this month in terms of calls. Everyone stayed fairly busy. Chief Olson explained the whole LEIN (Law Enforcement Information Network) Audit process which Lt. Geigle had sent everyone an e-mail explaining they would need to watch the Power Point, sign and return Validation of Completion of Power Point to Tony Geigle in order to receive unescorted access to Public Safety Building. Essentially what this does is limit access to the building, reason being, when you deal with the National Crime Center and the Criminal Justice Information Center there are guide lines that you have to follow dealing with sensitive information. The Feds, The State and The Township's Public Safety take this very seriously. This is why we are tightening down the access to the building on the Public Safety side. If you view the power point and fill out the needed paper work this will allow you in without needing to be escorted, however, if you don't you will be required to fill out paper work and be escorted throughout the building at each and every visit. The Audit for the LEIN will take place on August 25th, 2013. Chief stated that Paul Anderson has now moved to the Public Safety side and everyone is working together to try and learn each other's system to see if there needs to be changes or not. People need to know that if they need to get ahold of Mr. Anderson now it will have to be through Public Safety. Chief Olson stated that they are glad to have Paul Anderson and welcome him and are hoping for a good relationship. Olson also commented on the issue that is now surrounding his own department that appeared on the news involving one of our own Officers. The Department has made the necessary contacts in investigating this issue. Olson also said that we all have to learn from our actions and that we are not better than anybody else.

Hill asked Chief Olson if he had any idea what Springfield's activity was compared to ours. Olson replied that Springfield's is about a third of what our activity is. Hill also asked if Olson knew what we paid into dispatch Olson said we are billed for calls for service. Olson said he believed Springfield's cost was maybe around seventy thousand and ours was around one hundred and four thousand. Talbot also commented that we did receive back a check from dispatch for around twelve thousand. Olson stated

that he would hope we continue to receive those refund checks regularly from the Central Dispatch Authority.

RESOLUTIONS AND PROCLAMATIONS:

Resolution T13-17 2013 Millage rate for Special Assessment District Number one of 2010 to be set at a rate of 1.375 mills.

Resolution T13-18 2013 Tax Millage Rates (Allocated .8432 mills Public Safety (extra voted) 1.6990 mills Public Safety (extra voted) 1.0000 mills with the total being = 3.5422 mills.

Resolution T13-19 2013 Resolution for the Township to set the 2013 Street Light Millage Rate from .7428 mills to .7400 mills for all properties located with the currently established Street Light Districts.

Motion 13-9-8 by Talbot/ Gunning to except Resolutions T13-17, T13-18, T13-19.

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

**ALL YES
MOTION CARRIED**

UNFINISHED BUSINESS

NEW BUSINESS

Approve signage for Emmett; there were two designs for signs shown to all Board and Public there was discussion on both and it was decided to table until the Budget Meeting to give Chief Olson more time to identify Public Safety from the Administration.

Purchase Orders That Need Approval

Municode – Ordinances Total Estimated Cost \$6,492.10

Myers explained that this had been approved at the previous Board meeting but wanted to keep everyone informed that the cost did go up a little as we did send three more Ordinances to Municode to be added in. Chief Olson also explained that our Ordinances are something that we really need to finish as this would benefit the Township as well as the Residents and the fact that this was an estimated cost and could come down a little

Motion 13-9-9 by Buller/Gunning to approve the higher cost for Municode

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

**ALL YES
MOTION CARRIED**

Public Comments

Public comment on being 150% against the Township Signage; only because she believes the money for the sign should be used in the intersection that the Township is trying to improve in Wattles Park Area instead. She also commented on the Public Safety Millage being raised.

Comment from a resident on when and if the new Auditors would be coming to give a presentation like Plant Moran did so that the whole Township will know what the Auditors found. This was answered by several Board Members.

Owner of Ron's Roofing explained that he has been in the Emmett Township for a long time and would like to stay in Emmett. About four or five years ago, when the Casino opened, there has been a strong ongoing sewer odor by and around his business. He has had to contact the Health Department requesting that the air in his office be checked and monitored for harmful gas saturation as him and his wife are having very bad headaches and not feeling well. Ron stated that he has received no help from the Health Department. Ron introduced his wife to the Board, they then explained about the gas which is called Hydrogen Sulfide stating that it smells like rotten eggs, that once you were in contact with gas for a while you couldn't smell it anymore even though the smell is still there. They went over all the conditions that exposure to gas could cause. They have also commented on contacting OSHA but stated that they did not want to cause any problems. At this point Buller and Hill responded to Ron and his wife and stated that they are going to look into this and get with both of them.

Comment from a resident asking why the prior Closed Session Room is now an employee's office and wanted to know where the Board would hold a closed session at now? Supervisor Hill replied that we have other offices back we can go to.

Comment from a resident on when the Board meetings would go back to 7p.m.

Comment from Mike Olson on the POC Supervisory contract that still needs to be signed and the fact that there were no changes.

Motion 13-9-10 by Talbot to approve the P.O.C. Supervisory Contract

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

**ALL YES
MOTION CARRIED**

Trustee Comments

Jacox – Thanked the Chief for Public Safety's fast response to his house the other night.

Buller – Very interested in Ron's bad odor and concerned if it is something toxic. Buller said he would be looking into the problem.

Gunning – commented on retiree, Gloria Maichele having some health issues and also expressed well wishes to Gloria Maichele former Clerk.

Adjournment

Motion 13-9-11 by Hill/Gunning to adjourn 6:45 p.m.
Voice Vote:

**ALL YES
MOTION CARRIED**

Timothy Hill, Supervisor
Emmett Charter Township

Teresa Myers, Clerk
Emmett Charter Township