

**Charter Township of Emmett**  
**Regular Board Meeting**  
**November 8, 2018**

Supervisor Tim Hill called the meeting to order at 5:30 p.m. on Thursday November 8, 2018. The Meeting was held at the Township Hall located at 621 Cliff Street, Battle Creek, MI 49014. The pledge of allegiance followed the opening.

**Per John MacFarlane's Counsel:**

MacFarlane stated that the Deputy Clerk could not act as Clerk for recording of Township Meetings Minutes according to Statue. The Acting Clerk, in regards to the recording of the Board Meeting Minutes has to be a Board Member.

Motion 18-11-01 by Buller/Dougherty to appoint Brown as the Acting Clerk for the purpose of recording the minutes.

Roll Call Vote: Brown, Gunning, Buller, Dougherty, Myers, Hill, & Myers-Malone via phone (per MacFarlane with the understanding that Myers-Malone can be heard and hear -- a test proved she could.) **ALL YES**  
**MOTION CARRIED**

**BOARD MEETING ATTENDANCE-**

Buller, Myers, Dougherty, Brown, Gunning, Myers-Malone (via phone), & Hill

**QUORUM PRESENT**

Motion 18-11-02 by Myers/Dougherty to recuse Steve Buller from second closed session

Roll Call Vote: Myers, Dougherty, Brown, Gunning, Myers-Malone, Buller, Hill **ALL YES**  
**MOTION CARRIED**

**APPROVAL OF AGENDA-**

Motion 18-11-03 by Gunning/Myers to approve Agenda with the Lawn Mower being tabled until next month.

Roll Call Vote: Dougherty, Brown, Gunning, Myers-Malone, Buller, Myers, Hill **ALL YES**  
**MOTION CARRIED**

**APPROVAL OF CONSENT AGENDA-**

Motion 18-11-04 by Gunning/Myers to approve the Consent Agenda with the changes that Myers stated on the Public Safety Extra line by removing the parenthesis.

Roll Call Vote: Dougherty, Brown, Gunning, Myers-Malone, Buller, Myers, and Hill. **ALL YES**  
**MOTION CARRIED**

Receive and file the monthly Treasurer's Report with balances on hand:

General fund	\$ 2,247,149.33
SW Emmett Sewer/Water	\$ 850,490.82
Sanitation fund	\$ 1,077,745.19
Project V Sewer fund	\$ 109,861.43

Drug forfeiture Fund	\$ 18,122.44
Public Safety fund	(\$ 266,396.89))
Public Safety Extra	\$ 525,457.32
Beadle Lake weed	\$ 12,514.84
Econ Dev. Corp.	\$ 4,594.96

**MONTHLY CHECK REGISTER-**

Myers had a question on a \$600.00 bill to Siegfried Crandall for a meeting and wondered why she wasn't invited because invoice stated just Supervisor and a Trustee were in attendance. Buller stated that the Trustee was him and that he wanted confirmation from Auditors about the cash/money the Township has since it was said at a Board Meeting that we didn't have any money. Other members wanted to know why Myers wasn't invited since she is the Treasurer for Emmett Township and in charge of the money, Hill stated that he was in charge of money and read MCL 42.10. There was much discussion on this issue with all Board Members. Mr. Hill stated that we are not getting into this at this time as it is not on the Agenda. Myers commented that her concern was that we could have saved the \$600.00 and asked the question when the Auditors were going to be coming on November 13,2018 to help set up our new Chart of Accounts. Hill stated that he was not aware of that. It was said that there was lack of communication.

There were a few more questions from Mr. Brown concerning Plan Review and PINV in which Mr. Buller answered. Question for Mr. Olson on the Jaws - Olson answered. A couple more question's concerning the Check Register that were answered by Board Members.

Motion 18-11-05 by Brown/Myers to accept the Check Register as printed.

Roll Call Vote: Brown, Gunning, Myers-Malone, Buller, Myers, Dougherty, and Hill **ALL YES**  
**MOTION CARRIED**

**DEPARTMENTAL VERBAL REPORTS-**

**Supervisor, Tim Hill-** New hotels coming into the Township with Phase II going on 6-1/2 Mile Road currently which will hopefully bring in more jobs.

**Clerk, Tracy Myers- Malone** (delivered by Teresa Myers) - Our Election was very busy more like a Presidential Election then the typical General Election. On Election Day, Tuesday November 6, Trish Stone and I were here at 4:45 am and worked straight through Wednesday November 7 until roughly 9:30 a.m. working on the re-running of a precinct due to an extremely slow new state provided machine. Along with the Receiving Board and All workers for that precinct that amounted to a long day! That precinct was canvassed by the Board of Canvassers with just a couple questions from the County that were answered. Believe that we are finished unless we hear further from the County Board of Canvassers. We would like to thank ALL workers for an excellent job!

**Treasurer, Rachelle Myers-** Summer taxes were due by September 17, but they can still be paid at the Township with a 1% late fee added each month. There is a Drop Box available and all payments placed will have a receipt mailed. The Calhoun County recycling program sign-up is still available in the Township Office until December 31, 2018. Hopefully will have more information on that at the next Board Meeting.

**Planning and Zoning Business-**

Motion 18-11-06 by Buller/Myers to approve Conditional Use and Site Plan for 120x40 storage at 7290 Tower Road.

Roll Call Vote: Gunning, Myers-Malone, Buller, Myers, Dougherty, Brown, and Hill **ALL YES**  
**MOTION CARRIED**

Assessing- Nothing

**PUBLIC SAFETY-**

October 2018 Monthly Activity Synopsis

The following is the activity for the Emmett Township Department of Public Safety:

	<u>Current Month:</u>	<u>Previous Month:</u>
Complaints/Calls for Service:	1034	1068
Arrests:	24	21
Citations Issued:	135	82
Accidents	36	23
Medicals:	60	94
Fires:	0	2
All other Fire Calls:	22	32

October proved to be yet another busy month for the Department of Public Safety. It seems that we are running through another period where traffic crashes are on the rise. In nearly every case, when there is a crash there is usually someone at fault for a variety of reasons. It could be alcohol or drug related, speeding or more commonly a distracted driver. The moral of the story is everyone needs to pay attention, slow down and exercise safe driving habits especially with the winter season quickly approaching.

Fire calls were down this month, but we managed to stay quite busy participating in the October Fire Prevention programs with the schools, pump tests were conducted on all of the fire apparatus and the Self-Contained Breathing Apparatus (SCBA) were hydrostatically tested. We are just hoping this is not the quiet before the storm.

Chief Mike Olson

Emmett Township Department of Public Safety

Chief Olson stated that traffic crashes continue going up and that bad weather is setting in and all need to slow down. Lots of calls for service. Medicals are down but are starting to pick up. This week was Fire Prevention week at all schools. The big event that was scheduled at Bailey Park was rained out this year. Chief Olson talked about the pump test on all equipment. Olson also talked about the grant that was just under \$250,000 dollars for Safe Schools that would be released on Fox 17 and WBCN that would give the schools lots of equipment and technologies. PSO Mackey and Pierce along with others in the department had a lot to do with receiving this Grant. Chief also stated how well Rob Ridgeway and the school board and all the staff at Harper Creek helped. Chief talked about the Medical Marijuana Proposal that passed and said it would have some effects on Public Safety and the Township and that if you didn't want it you would have to write an Ordinance

to opt out. Olson said be careful tomorrow there talking 3-5 inches of snowfall. Question from Dougherty on how will you test for Marijuana? Olson stated a blood draw.

## **RESOLUTIONS AND PROCLAMATIONS-**

### **OLD BUSINESS-**

**Road Committee-** Deb Belles stated that the committee is still working with the Calhoun County Road Department and Rob Behnke and as soon as they have all the information needed, they will be setting up meetings for all residents. Hill explained that a lot of people think that their taxes pay for local roads; when in fact they do not. Hill explained Public Act 51 and how that money goes to the County for the roads. Hill commented to Deb Belles how appreciative he was for all her hard work.

### **NEW BUSINESS-**

**Siegfried Crandall Auditors-** Joel thanked the Board for having him then he went over some of the 2017-2018 Audit with the Board Members. Joel explained that there was 2.6 million in unassigned fund balance and that we have about two years of expenditures in our Fund Balance. There were several more questions from the Board that were answered by Joel. The Board thanked Joel for coming.

Motion 18-11-07 by Brown/Buller to go into closed session to discuss John Macfarlane's legal opinion on October 26, 2018.

Roll Call Vote: Myers-Malone, Buller, Myers, Dougherty, Brown, Gunning, and Hill **ALL YES**  
**MOTION CARRIED**

Motion 18-11-08 by Gunning/ Myers to come out of closed session

Roll Call Vote: Buller, Myers, Dougherty, Brown, Gunning, Myers-Malone, and Hill **ALL YES**  
**MOTION CARRIED**

Motion 18-11-09 by Dougherty/ Brown to rescind his motion on October 11, 2018 to hire outside legal counsel

Roll Call Vote: Brown, Gunning, Myers-Malone, Buller, Myers, Dougherty, and Hill **ALL YES**  
**MOTION CARRIED**

Motion 18-11-10 by Myers/Gunning to go into close session to discuss pending litigation

Roll Call Vote: Dougherty, Brown, Gunning, Myers-Malone, Myers, and Hill **ALL YES**  
**Buller- Recused** **MOTION CARRIED**

Motion 18-11-11 by Brown/ Gunning to come out of closed session

Roll Call Vote: Brown, Gunning, Myers-Malone, Myers, Dougherty, and Hill **ALL YES**  
**Buller- Recused** **MOTION CARRIED**

Motion 18-11-12 by Myers to appoint Tim Hill in contacting MMMRA and ask to Appeal their decision

Roll Call Vote: Gunning, Myers-Malone, Myers, Dougherty, Brown, and Hill **ALL YES**  
**Buller- Recused** **MOTION CARRIED**

Motion 18-11-13 by Brown/ Gunning to hire outside legal counsel if MMMRA denies appeal pending MMMRA's decision

Roll Call Vote: Myers-Malone, Myers, Dougherty, Brown, Gunning, and Hill

**Buller- Recused**

**ALL YES  
MOTION CARRIED**

Election Commission- Teresa Myers explained that the Commission is three Board Members (Rachelle Myers, Brown and Myers-Malone) who's duty is to approve election workers for each new election.

Principles of Governance- Hill explained he got the idea from Dougherty and its just to try to maintain certain standards with Board Members, All Members looked it over and signed

### **PUBLIC COMMENTS-**

Resident talked about The Board's Service and questioned the signing of the Principles of Governance. Resident re-capped the end of the last Board Meeting all Board Members agreed to meet with Chief Olson as mediator and talk out their differences and come together; then Supervisor Hill didn't show up to the meeting. Resident felt like that was a slap in the face! Resident also thanked Olson for stepping up to mediate that meeting.

Resident stated that his kids (at age 6 and 8) acted better than Board Members -- the Board needed to start acting better and doing their jobs!

Resident to clarify genealogy on Treasurer Myers; as it keeps popping up on Facebook and social media -- this needs to stop!

Resident stated that it's getting very tiresome when people keep asking what's going on at the Township. Stated its not beneficial to the Township; address the Board: You were Elected or Appointed to do a job for the people. Same resident also talked about his respect for Buller and what a fine job he thought he did for the Township.

Resident dittoed what previous resident stated and also stated what a great person Mr. Buller was, and thanked him for all he does.

Resident stated her name and said that she married into the Myers family and is only related through that marriage. Stated that she was tired of her name being on Facebook and dragged through the mud. She is tired of people asking her what's going on with the Board. She commented that this is not right – it needs to stop!

### **BOARD COMMENTS-**

**Brown -Nothing**

**Hill** -stated that Dougherty is a great guy and a Veteran. He owed all an apology. Thanked Dougherty for handing over the gavel to him when he first took office and stated that he probably would not run again 2020 as he has some other things going on. Hill also stated that there is a lot of development going on in the Township now. Hill said that he thinks the Board can work together. Thinks that some of these issues could probably be communication issues and Hill thinks they can be worked out. Hill stated that he didn't go to the meeting on October 15 as he was afraid that something would be used against him in the lawsuit - he did talk to an attorney but did not want to reveal his name. Hill spoke about working with Dougherty for awhile and the experience that he has. Excited when he heard Rachelle was coming into the Township and that she has a good head on her shoulders and thinks that she is trying to do what is best for the Township. Would like to Apologize to them and Brown as he's new and learning. Would like to pledge working together for the next two years and that we all need to get together and just talk. Thanked Deb again and said hopefully the new Governor could do something to help with the roads.

**Dougherty-** stated that its all good what Hill said, but it has all been said before. Stated that Hill has accused Dougherty and Brown of being liars and thieves on Access Vision and on WBCK as well as, additionally called for a recall of them on Facebook. Dougherty stated that Hill has stated that Dougherty was out of his mind. Dougherty stated that Hill uses Facebook like a weapon. Dougherty stated that he doesn't use Facebook personally and that it seems like a very immature way of going about things. Dougherty stated that a Pastor has gotten involved with Facebook slander -- it's really a political battle here. Dougherty thinks it's highly inappropriate and talked about the disrespect for office staff. Dougherty also said that Talbot had retired because she stated that it was a hostile work environment that was produced by the Supervisor; she said it right here at a Board Meeting on Access Vision. Talked about Hill's private meetings that go on with a select few and everyone else is left out. Dougherty talked about duties Trustees have and that **all** should be involved not just a select few. Dougherty stated that it's all good to say your going to work with us but actions speak louder than words! Dougherty stated he thinks that this Facebook thing is a travesty and that using of Facebook to slander should not be done as a lot of people were hurt. He also said he's not a violent person. He is a Veteran and proud of it. Dougherty stated that the motion he made last month was because he had just gotten fed up with all of the hostility and had to do something to get peoples attention and that was why he took the direction he did. Dougherty also talked about Roberts Rules of Order and how that is not happening. Dougherty also stated, all should know that Mr. Hill works at Raymond James in Kalamazoo full time. Stated that we still have business that needs attention full time in the Township feels were left in the dark a lot. Dougherty said he feels responsible for the Township and that Doctor Peckham got him started in the Township involvement. When he ran for Supervisor, he had a responsibility to the Township and still feels that same responsibility and he's going to keep on working for The Township. Stated these guys will come and go and yet we will still be here. Talked about him and Brown working for the Township for more than 30 years and all that they have done in the Township in all that time. Dougherty stated that he talked with Macfarlane and he stated that we have a political problem here. Dougherty said I believe we have a moral problem here! Dougherty stated he thinks that when you say your going to be here you should be here and not somewhere else. You should not fob-in in the morning then leave and hour later to go somewhere else, like Raymond James, leave your light on your office and fob-out at end of day. Dougherty closed by stating that he hopes that in the future that Hill lives up to his word as he said he was going to do - words have meaning.

**Myers-** I want to first recognize the hard work that our board has done individually within our community: *Trustee Buller:* he's a great resource to our township; he's very dedicated and has a fantastic work ethic. I have personally enjoyed working with Trustee Buller when we have had the opportunity to do that. He's always been willing to help me with any problem that I've come across. *Supervisor Hill:* Thank you for your years as the Emmett Township Supervisor as well for your years of service to our country. *Trustee Gunning:* If you look back in Emmett Township's history, you will see all the years Trustee Gunning has put forth. Trustee Gunning, thank you for your time and dedication to our Township, I do look forward to working with you within these next 2 years. *Trustee Brown:* I admire your years of serving our community through service clubs especially being an integral part of the Harper Creek Optimist Club for over 20 plus years. You're a great asset to our Community. *Trustee Dougherty:* I admire your dedication and your years of serving our Harper Creek Community thru your work of the Wattles Park Men's Club, a fantastic youth sports program that most areas in Michigan would dream of having. The years of public service to Emmett Township both as a Trustee and Past Supervisor... Thank You for serving our Country as well. *Clerk Malone-Myers:* These last few weeks I've been able to see you balance work life and motherhood and you've done a fabulous job. You have surrounded yourself with an amazing team which is dedicated to serve our Township residents and have been stellar especially with this last election. On a side note I'd like to make a special mention to all election workers and personally thank each and everyone one of you. We would not be able to exercise our Civic Duty if it was not for your time and effort, thank you. My position prior to my appointment as Treasurer was and still is a partnership in running a fantastic chiropractic practice for the last 18 years. In our time of growing our business, we have learned that the people that work within our clinic are the life blood of creating a successful team. We've also noticed that if the people in our clinic understand the vision, the purpose and have a way to personally grow inside the walls of our business, it increased our success. Encouraging a positive, respectful work atmosphere is also required on my part, my partners' part as well required from all of our Staff. However, that process doesn't happen spontaneously, it takes time and continual work on from everyone involved within our business. Since starting this position, I believe that the board and its executive members have failed the township by failing to create a Team Atmosphere as well as a Healthy Work Environment. I have never been in a position where there is such a lack of leadership, a lack of communication with the board as a whole as well with the staff who run the day to day activities and a lack of accountability. Frankly I feel like a fish out of water. From what I've experienced, a Leader needs to be able to communicate with all people on the team, not just the select few that he/she feels comfortable working with. A Leader should include all forms of communications and make himself/herself available to address township business as well as working with all personnel and Board Members. But most of all a Leader should lead by example. It saddens me the length of what Emmett Township trustees have to do to be able to have a face to face meeting with our Leader. It saddens me the level of experience in front of you all tonight that is currently untapped. We need to get to the root of the problem of the bickering that has been displayed to you all. I believe if we would have open lines of communication, discussion throughout the day to day activities of running the township as well as creating a fair and equitable work environment with all Board Members and Staff, we then will be able to accomplish so much more for our Township and finally move on. Creating an inclusive work zone, adopting a no tolerance to slander/disrespectful comments to staff, trustees' as well executive members especially on social media needs to happen now. Once a kind, respectful, equal work environment is created and fostered within Emmett Township Board Members and Staff, this Board and its Staff may actually get work done of which Emmett Township's residents much deserves. I look forward in serving Emmett Township for the next 2 years. I appreciate each and every one of you that has supported me and continue to do so. Thank you for attending Board meetings, please continue, your input is valuable and needed so we can make our Township prosper.

**Buller-** Thanked all for the kind comments and all the support I've enjoyed my time here at Emmett Township for the past 22 years, thank you all.

**Gunning-** Election is over and all signs have been removed

**ADJOURNMENT**

Motion 18-11-14 by Brown/Dougherty to Adjourn at 8:00 p.m.

Voice Vote

**ALL YES  
MOTION CARRIED**

*Timothy Hill, Supervisor  
Emmett Charter Township*

  
*Richard Brown, Appointed Clerk  
Emmett Charter Township*