

Rives Township Regular Board Meeting
June 6, 2024
Lansing Avenue Fire Station

The meeting began at 6 p.m.

Present: Supervisor Jerald Adams, Clerk Vercilla Hart, Treasurer Carol Schulz, and Trustee Bryce Hammond. Trustee Christine Beecher at 6:20 p.m.

Jackson County officials in attendance:

Dept of Transportation Managing Director Angela Kline, and Project Manager Jim Cole.

Insurance Agent in attendance: Kevin Decker, Decker Agency LLC.

The meeting began with the Pledge of Allegiance.

Changes to the Agenda: add FOIA Appeal (9b), with Communications changed to 9a.

Motion by Schulz, supported by Hart, to approve the Agenda as changed. All ayes. Motion carried.

Public Comment #1 began at 6:06 p.m. and ended at 6:12 p.m.

Motion by Hart, supported by Schulz, to approve May 9, 2024 Board Meeting Minutes as written. All ayes. Motion carried.

Motion by Hart, supported by Schulz, to pay payroll check 31892 through 31918 and EFT 253-255, bills 84183 through 84194 then 84200 through 84204 with voided checks 84195 through 84199, and Sewer checks 2210 and 2211.

Roll call. All ayes. Motion carried.

Roads

Angela Kline gave a summary of townships and Jackson County roads:

- 15 townships in Jackson County do match percentages with the county per Act 51.
- The State of Michigan says the match has to be at least 50%/50%.
- Townships are the only funding source for Jackson County.
- New Grant program
 - Only 1 grant recipient in the State of Michigan has received funds
 - Cost will be \$600,000 for Jackson County for planning for safety, non-motorized vehicles, etc. - \$700,000 will be reimbursed by the grant
 - Safety grants can't be used for resurfacing.
- "Our people" do the roads cheaper than others could contract out.

Jim Cole offered the following:

- In 2014, the township funding ratio changed to 70% township/30% county.
- Jackson County won't be doing any county roads this year.
- Funds from the State of Michigan is not designated for specific townships/localities.

- Jackson County Transportation Dept paid \$1.8 million for expenses last Winter and the cost for asphalt is \$105/ton.

Board Communication - Roads

Supervisor Adams

- General fund money could be used, or do nothing and see what the roads look like in 5 years.
- The township is given 6-8 options for roads every year.

Treasurer Schulz

- When the county went to 70%/30% they balanced their budget on the backs of the townships.
- Asked Angela Kline if the 70%/30% policy could be negotiated, and was told by Kline she wouldn't support that because it would have to be brought before another board.

Trustee Beecher

- State statute supersedes the match, but Kline replied that their attorney said it doesn't because no percent in the language.

Clerk Hart

- MTA resources state it's always a choice for a township to pay for roads.
- \$165,000 was spent last year by Rives Township on roads.
- Discovered that townships can't apply for the grant.
- Rives Township has infrastructure it is responsible for - the Sewer was just paid off this year.
- Township Attorney Chris Patterson said to make sure our parking lot, sidewalks, and other infrastructure is addressed before paying for roads. Roads are another agency's jurisdiction.
- "After being educated on who is financially responsible for roads and being the Fiscal Officer of this Township as stated in Resolution 2024-08 dated March 28, 2024" **Motion by Hart, supported by Beecher, to rescind the motion for payment from ARPA to Jackson County for Broughwell Road in the amount of \$76,156; at this time, no payment to Jackson County will be authorized for Roads unless Jackson County accepts our offer for a loan for Broughwell Road with interest of 4.125%, and one year repayment plan.** Hammond - no, Schulz - no, Beecher - no, Hart - yes, Adams - no. 4 - no, 1 - yes. Motion failed.

Motion by Schulz, supported by Hammond, that the board go forward and investigate where we're going to get the funding for roads in the future. Roll call. Hammond - yes, Schulz - yes, Beecher - yes, Hart - no, Adams - yes. 4 - yes, 1 - no. Motion carried.

Clerk Hart stated she would not be part of "the board" investigation.

Insurance Claim - Payroll Overpayment to Treasurer Teske

Insurance Agent Kevin Decker reported the following:

- Employee dishonesty claim - funds taken for financial benefit - are excluded if the funds are related to payroll.
- There's a statute of limitations on bond payouts - within 1 year of occurrence - the loss occurred prior to March 2023.
- Doesn't disagree there was "wrongdoing" by Treasurer Teske

Trustee Beecher

- "Essentially she embezzled from the township."

Clerk Hart

- Paperwork was submitted September 29th. Has spent hours gathering and submitting evidence.
- Evidence of wrongdoing persisted after Hart was appointed as Clerk in June 2023, and Hart reported it to the Michigan State Police. After resigning, Janina Teske submitted a timesheet she signed that she completed, but it was for permit work done by Chelsea Oxbrough, and the township auditor signed that it was an incorrect timesheet. Teske also filed a labor board complaint against Rives Township when she expected to be paid for more permits on the timesheet than documentation showed she did.
- Wanted to know the internal appeal process for the bond, and said the township attorney would like this to be done.
- Agreed to meet with Insurance Agent Kevin Decker, and invited Schulz to attend.
- Other options to get the funds back for the township will be pursued if necessary.

Bids - Fire Station #1 - Concrete/Asphalt

Mata Brothers, Cook Foundation and Flatwork, Deric Beaman Concrete, Tuttle Concrete, J&J Sealcoating, and Ace Asphalt & Paving submitted bids. Work needs to be done at the Main Street fire truck entrance, as well as the parking lot on the north side of the fire station.

J&J Paving was the lowest bid overall. The area where the fire truck is sinking will be repaired rather than torn out and replaced.

Motion by Adams, supported by Hammond, to use J&J Paving on the 2 bids of \$12,500 each for a total of \$25,000. Roll call. All ayes. Motion carried.

Communications

Clerk Hart

Motion by Hart, supported by Beecher, to add the \$200.00 onto the approved budget for 2024-2025 missed when entering for mileage for Supervisor. Roll call. All ayes. Motion carried.

Motion by Hart, supported by Schulz, for Jerry Adams, Supervisor, to pay for scrap metal, price of \$50.00, for unsafe Township-owned playground equipment

deemed unsafe by our Risk Assessment insurance. Roll call. Schulz - yes, Hart - yes, Beecher - yes, Hammond - no, Adams - yes. 4 -yes, 1 -no. Motion carried. Supervisor Adams handed a \$100.00 bill to Treasurer Schulz to deposit in the General Fund.

Motion by Hart, supported by Adams, to approve payment for J&M Well Drilling used under the Emergency Authorization due to no water at Township Office for the amount of \$3,632.50. Roll call. All ayes. Motion carried.

Motion by Hart, supported by Adams, to reimburse Marty Barnes for two flags at the Veterans Memorial for total of \$85.98. Roll call. All ayes. Motion carried.

Motion by Hart, supported by Adams, to pay MTA annual dues from 7/1/24 to 6/30/25 in the amount of \$3,334.14. Roll call. All ayes. Motion carried. The board opted not to pay an additional amount for MTA legal defense.

Motion by Hart, supported by Beecher, to replace the Microsoft 365 motion from \$300.00 and subscription already made to Microsoft Office Home and Business 2021 for amount of \$572.00. Roll call. Hammond - no, Schulz - yes, Hart - yes, Beecher - yes, Adams - yes. 4 - yes, 1 -no. Motion carried. Rives Township has been paying \$16.60/month, and this payment will eliminate the monthly fee.

Motion by Hart, supported by Beecher, to upgrade emails from Mail Enable to Office 365 which was already approved for 9 but now need 12 exchanges for a complete total \$576.00. Roll call. All ayes. Motion carried. This will allow 12 exchanges, and Outlook will be used.

Motion by Hart, supported by Beecher, to reimburse Vercilla Hart for Jackson County Health Department well permit of \$840.00, which was cancelled and will be reimbursed to the Township; also, for two flags, one for Rives Memorial and the other for Township Office, total of \$55.22; for a total amount of \$895.22. Roll call. All ayes. Motion carried.

Motion by Beecher, supported by Adams, to pay Ken Swift \$375.00 and to hold the check until the cover is repaired. Hammond - no, Hart - no, Schulz - yes, Beecher - yes, Adams - yes. 2 - no, 3 - yes. Motion carried.

Clerk Hart

- An email from Charlie (website manager) indicated resident Jobeth Carlton had contacted him twice. Adams asked Carlton tonight to please not contact the township's vendors. Carlton replied, "Noted." And "I don't let anyone tell me what to do."
- Tire Collection on June 15th at Henrietta Township. Adams asked Joseph Super and Patrick Oberlin to volunteer to work.

Clerk Hart

- The township website has been updated. All correct PC minutes are posted, and board meeting minutes are up-to-date.
- Conditional uses and variances are to be submitted to the Clerk.
- The Chart of Accounts update has been done.
- The township reports are being submitted to the new auditor through a portal, and almost everything requested has now been submitted.

Motion by Adams, supported by Hart, for J&J to do paving work for the township office for \$1,500.00. Roll call. Schulz - yes, Hammond - no, Beecher - yes, Hart - yes, Adams - yes. 4 - yes, 1 - no. Motion carried.

Trustee Beecher

- Ron Noocha contacted her regarding marihuana sales in Rives Township. She may get more information about that from attorneys she knows.
- The Planning Commission worked on correcting minutes. Jon Hoffman should be emailing them soon to the Clerk.

Treasurer Schulz

- Taxes will be delivered before July 1st.
- Treasurer hours will be Wednesdays from 11 a.m. - 6 p.m., and Thursdays from 11 a.m. to 4 p.m. Independent Bank is still taking payments, and the township office drop box can be used to submit payments.

Trustee Hammond

- His FOIA appeal was denied, but he said it wasn't a FOIA request that was emailed to the FOIA Coordinator Stacy Stoner. Adams then suggested he set up a time to meet with the Clerk for the information he wanted.

FOIA Appeal - Jobeth Carlton

Disputed the \$3.75 charge for copies and labor. Wants more consistency with FOIAs. Clerk Hart said there were 31 pieces of paperwork received, signed and copied from the Minutes book she is required to keep.

Public Comment #2 began at 8:52 p.m. and ended at 8:58 p.m.

Motion by Beecher, supported by Hammond, to adjourn. All eyes. Motion carried. The meeting adjourned at 8:58 p.m.

Vercilla Hart

Rives Township Clerk