

Rives Township Regular Board Meeting
August 22, 2024
Lansing Avenue Fire Station

Present: Supervisor Jerald Adams, Clerk Vercilla Hart, Treasurer Carol Schulz, and Trustees Bryce Hammond and Christine Beecher.

Also Present: Township Insurance Agent Kevin Decker - Decker Agency, and Matt - Township Auditor with Maner Costerisan.

The meeting began at 6 p.m. with the Pledge of Allegiance.

Public Comment #1 began at 6:01 p.m. and ended at 6:10 p.m.

Motion by Hammond, supported by Beecher, to approve the Agenda. All ayes. Motion carried.

Motion by Hart, supported by Beecher, to approve the July 11, 2024 Minutes as printed. Beecher - yes, Hart - yes, Schulz - yes, Hammond - no, Adams - yes. 4
- yes, 1 - no. Motion carried.

Motion by Hart, supported by Beecher, to approve check number 31956 to 32021 and EFT 258. Roll call. All ayes. Motion carried.

Motion by Hart, supported by Schulz, to approve check number 84241 to 84267 and Sewer checks 2215 to 2218. Roll call. All ayes. Motion carried.

Auditor's Report

- Matt thanked Hart and Schulz for their work and cooperation with the audit, and stated that the Unmodified opinion from their firm is the best opinion that a township can receive.
- Rives Township's current standing would allow the township to operate for 14 months if no income were received beginning today. Interest revenue has increased 52%.
- Expenditures increased due to a new Fire Truck, Scott Packs and Township Office Security.
- The Sewer fund (Assets divided by Liabilities) has increased 2.35%, with a slight increase in sewer revenues.
- Operating expenses decreased \$200.
- Policies that are advised: Fraud Risk, Capitalization and Conflict of Interest.
- The Building Dept needs to be a separate fund as mandated by the Dept of Treasury.

Auditor's Report (continued)

- Hart and Schulz asked the previous Auditor, Willis & Jurasek, to examine and modify Rives Township's Chart of Accounts to be up-to-date with the State of Michigan's Accounting Procedures. The Clerk and Treasurer worked to update the accounts with BS&A software at no charge to Rives Township from BS&A.
 - Maner Costerisan reviewed the accounts incorporated into the BS&A software during the audit. The result is that Hart and Schulz were only given some of the new account numbers Rives Township should be using in accordance with the State of Michigan's Accounting Procedures. BS&A will now be charging a fee for the conversion of all the correct account numbers, as will Maner Costerisan.

Insurance Agent Report

Additional information concerning former Treasurer Teske and former Clerk McCord was supplied to the bonding agency, but the outcome is that the problems with Teske's unauthorized additions to her salary and then the approval by McCord of payroll do not meet the criteria for a claim on either of their bonds.

- Adams said if the township were to sue Teske, the result would be the attorney fees would not allow much fund recovery in the end for the township.
- Hart said an Appeal can now be filed with the insurance company, and there's the option of taking the claim to Small Claims Court. A full report has been submitted to the Michigan State Police.
- Beecher said if there is a conviction, restitution would be paid in full. There is still time to do this.

Hart reported that while working with the adjuster, she discovered the legal fees for the bond pulled in 2017 against former Clerk Stacy Stoner.

Insurance agent Kevin Decker said that claim was handled in error, and \$3,754.62 should have been paid out and not included legal fees. This was "a mistake the underwriters made."

Hart said this puts Rives Township in liability, and suggested the board move to a Closed Session with Insurance agent Kevin Decker.

Reason for Closed Session per MCL 15.267 complaints/charges brought against prior Clerk Stacy Stoner and present employee of Township. Stacy Stoner okayed closed meeting.

All Board Members present and Decker Agency-Kevin Decker present in closed session.

Motion by Hammond, supported by Hart, to go into Closed Session. All ayes. Motion carried. The board moved to another room at the fire station and went into Closed Session at 6:42 p.m.

The Township Board returned to the meeting room at 7:00 p.m.

Motion by Adams, supported by Hammond, to go into Open Session. All ayes. Motion carried.

Motion by Adams, supported by Hart, due to the paperwork provided, to reverse the previous bond claim against former Clerk Stacy Stoner for the amount of \$3,754.62 due to investigation finding by Current Clerk. All ayes. Motion carried.

Motion by Hart, supported by Beecher, as a Clerk finding evidence, to report the investigation of Stacy Stoner surety bond claim from Rives Township to the Government Integrity Division at the Attorney General Office; if need to report to a different agency other than the AG office the Clerk has authorization to report to another agency as directed; release all paperwork with the report. All ayes. Motion carried.

Supervisor Adams publicly apologized to former Clerk Stacy Stoner. Hart said a written apology will also be forthcoming from the current Rives Township Board.

Trustee Wages

Trustees Christine Beecher and Bryce Hammond were to receive a \$100/month salary, and a forgery and misconduct of office investigation pertains to this. Hart then read Michigan State Police Incident No. 013-0000072-22, page 6 of 9, dated January 2022. Hart said it is time to also "right the wrong."

Motion by Hart, supported by Adams, to pay Trustee Christine Beecher and Trustee Bryce Hammond the \$100.00 per month salary, as there were two different versions of Resolution 2017-09 per MSP Incident Report #013-0000072-22, to retroactive pay starting December 2020 until end of term which would result in a lump sum payment of \$4,500.00 per Trustee, then continue the \$100.00 per month until end of their term.

Schulz - yes, Hart - yes, Beecher - abstain, Hammond - abstain, Adams - yes. 3 -yes, 2 - abstain. Motion carried.

Trustees - Pay Beginning This Meeting

Motion by Adams, supported by Hammond, to pay Rives Township Trustees \$0 salary per month with \$145 per diem pay. Hart - yes, Schulz - yes, Adams - yes, Beecher - abstain, Hammond - yes. 4 - yes, 1 - abstain. Motion carried.

Planning Commission - Section 17.32

Motion by Hart, supported by Hammond, to send back with recommendations to focus on letter (O) in section 17.32; it doesn't follow the Master Plan, and input from the community is to Keep Rives Rural; the Master Plan and Use Map need to be reviewed because we are not well suited for this type of conditional use; the Master Plan must be followed by Ordinances. Roll call. Hart - yes, Hammond - yes, Schulz - yes, Beecher - abstain, Adams - no. 3 - yes, 1 - abstain, 1 - no. Motion carried.

Communications

- Schulz reported that she and Hart put in a lot of hard work since they started, and she is very happy with the resulting audit.
- Schulz suggested an outside bookkeeper do the Clerk's accounting work for about \$5,000.00 for the new township board.
- Hart said former Clerk Stoner helped her make sure account numbers were accurate, and the audit went well.
- Hart asked Schulz to investigate the cost of an outside company doing Payroll for the next term of office.
- Hammond said MTA offers online training for new officials.
- Adams said the paving work on Broughwell Road is complete, except for the striping, and gravel is needed on the side of the road on Rives Eaton Rd near the monastery.

Budget Adjustments

Motion by Adams, supported by Beecher, to pull \$7,000, \$14,000 and \$12,000 from 101-451-971 Roads; with \$7,000 going to Staff Salary and Wages 101-101-702-000, \$14,000 going to Auditor 101-101-807-000, and \$12,000 going to Legal Fees 101-101-826-000. Roll call. All ayes. Motion carried.

Hart said the staff salary had to be adjusted because of the current Trustees' wage adjustment tonight. Beecher said the legal fees were adjusted due to the previous Clerk's (Judith McCord's) complaint against the current Clerk.

Additional Bills / Financial Decisions

Motion by Hart, supported by Adams, to pay Fahey, Schultz, Burzych, and Rhodes for the amount of \$11,812.19 for the lawsuit against the Clerk by former Clerk Judith McCord. Roll call. All ayes. Motion carried.

Motion by Hart, supported by Schulz, to pay Willis & Jurasek a partial bill since our Chart of Accounts wasn't done correctly and has to be redone for an additional cost; partial bill includes only \$1,500.00 and no payment for Chart of Accounts project; no future payment on Chart of Accounts be paid out due to Chart of Accounts being reported in our 2023-2024 audit report sent to the State of Michigan. Roll call. Hammond - yes, Adams - no, Beecher - yes, Hart - yes, Schulz - yes. 4 - yes, 1 - no. Motion carried.

Motion by Hart, supported by Adams, for ZBA Alternate Members to be paid at a rate of \$15.00 per hour while not substituting for a ZBA Board Member; when filling in as ZBA Board Member, rate will be at meeting rate of \$80.00 per meeting. Roll call. All ayes. Motion carried.

Motion by Hart, supported by Beecher, to pay Dominion Voting for a Ballot Marking device printer for the amount of \$575.00. Roll call. All ayes. Motion carried.

Hart received 3 bids for the pre-buy for propane: Coyne (formerly Avery) Oil, Hammond Hardware, and Corrigan Oil. Troy Avery matched the lowest bid.

Motion to enroll in pre-buy plan with Avery Oil Propane for 1,000 gallons at \$1.749 per gallon for the 2024-2025 Winter season for a total of \$1,749.00, to be paid immediately. Roll call. All ayes. Motion carried.

Motion by Hart, supported by Beecher, to pay Charlie Westra \$750.00 for website work for April, May, June July, and August 2024. Roll call. All ayes. Motion carried.

Motion by Hart, supported by Hammond, for Treasurer Carol Schulz to be the VC3, BS&A and Website Administrator for Rives Township starting after all paperwork is transferred. Roll call. Beecher - yes, Adams - yes, Hammond - yes, Hart - yes, Schulz - abstain. 4 - yes, 1 - abstain. Motion carried.

Additional Communication - Clerk

R. Bruton Electric has been corresponding with the Clerk regarding issues of not getting communication from the Electrical Inspector, and Hart asked what response time the board expects the inspectors to follow.

Adams said she needs to be emailed that the board has discussed this with Mr. Swift. Hart received a notice from Jackson County Equalization Dept. that they will be ending Assessing contracting.

Adams said it's hard to find good assessors and is in favor of retaining the township's current Assessor.

Motion by Hart, supported by Adams, to pay Maner Costerisan for closing entries, the F-65 reporting, and for 35 entries at \$200.00 per entry. Roll call. All ayes. Motion carried.

Hart said there was an incident with one of the township's residents taking pictures of her car and the FOIA Coordinator's license plates after dark at the Township Office. Hart received an email from the resident Jobeth Carlton, and read it word-for-word (except one word in Carlton's signature line) to the board during tonight's meeting.

Public Comment #2 began at 8:29 p.m. and ended at 8:42 p.m.

Meeting Adjourned 8:42 p.m.



Vercilla Hart, Rives Township Clerk

Two attachments to these minutes: 1) Jobeth Carlton email 2) Page 6 of 9 Michigan State Police Report Incident No. 013-0000072-22.

Vercilla Hart

From: Jobeth C <jobethlynn@gmail.com>
Sent: Thursday, August 22, 2024 11:33 AM
Subject: Stacy Stoner; Vercilla Hart
Re: FOIAs Released - Payment Verified by Treasurer

Oh thanks so much Stacy, but I got them from Carol. And honestly, I'm shocked you'd send these yourself instead of, I don't know, calling the cops to have them come deliver them to me on your behalf.

Just so you're EXTRA aware, I can take pictures and video of anything I want on Township property, including your faces or license plates or even the contents of your vehicles. There is no reasonable expectation of privacy at a public building and, like the cops told you and Vercilla, if you don't want people to have that ability to photograph your vehicle maybe you shouldn't be parking it in a public place.

Thanks for making it extra easy to prove just how unhinged your and Vercilla's behavior is. Is the rest of the board aware that you guys are up there milking the clock and laughing about it while you make false police reports and waste even more taxpayer money? If not, they will be, and so will the entire community. Keep going, keep trying to harass, defame, intimidate, and threaten me with this stuff. Every time you cross that line and pull this bullshit it makes it a lot easier to add to the paper trail.

Shame you can't be bonded just so the Township could collect it again.

See you tonight!!

- the [REDACTED] Queen of Rives, regardless of what you do.



On Wed, Aug 21, 2024 at 7:45 PM Stacy Stoner <foia@rivestwp.org> wrote:

Hello Jobeth,

Attached are copies of your requests.

Thank you.

Stacy Stoner

FOIA Coordinator

Rives Township

foia@rivestwp.org

MICHIGAN DEPARTMENT OF STATE POLICE

SUPPLEMENTAL INCIDENT REPORT 0001

ORIGINAL DATE: Mon, Jan 03, 2022	INCIDENT NO: 013-0000072-22
SUPPLEMENTARY DATE: Mon, Jan 10, 2022	FILE CLASS: 25000

I explained to McCord that I was in possession of two different versions of the resolution 2017-09, resolution to establish township officers salary. I further explained that one version lists the trustee salary as "\$100 salary" and the other lists it as "\$100 salary until the end of term".

McCord responded by acknowledging that she made a mistake, but insists that it was not a malicious effort to take away [REDACTED] pay. McCord did not deny that there were two versions of the document, but insisted that it was an error and not a malicious act. McCord offered the following as a possible explanation:

McCord stated that the version that lists a "\$100 salary" might have been a draft that was mistakenly ratified and voted on by the board. Further, that McCord may have discovered the mistake later and fixed it so that the correct version of the document said "100 salary until the end of term". But it appears that she did not make the correction until after the incorrect version was mistakenly sent out in a FOIA request.

I asked McCord if there was a change in wording within the resolution, would that not require another vote by the board. McCord agreed that the board would need to vote on the change. McCord agreed that there was not an additional vote to change the wording.

I asked McCord about the missing FOIA requests on file for 2017 that investigators discovered missing during our search at the Rives township hall. McCord told me that no FOIAs have been destroyed since she took office. This statement contradicts statements she made to D/Sgt. Wait over the phone, during the search. See D/Sgt Waite's supplemental report.

The above information is only a paraphrased summary of my interview with McCord. For a complete understanding of this interview, view the zoom recording in its entirety.

SEIZED:

SEIZED BY: JAY BARKLEY

Prop 0002 -Type: DOCUMENTS/PERSONAL OR BUSINESS Qty: 1 Article Type: Documents (Description Req) Brand: Model: Serial #: Misc #: OAN: Value: \$0.00 Recovered Value: \$0.00
Descrp: ORIGINAL 2017 FOIA PACKET GIVEN TO [REDACTED] BY RIVES TOWNSHIP GOVERNMENT.

Obtained From: 3401 COOPER ST
01 - BLACKMAN TWP, MI 49201
38 - JACKSON, MSP POST

OBTAINED FROM [REDACTED] IN THE POST CONFERENCE ROOM.

Date/Time Recovered: 01/10/2022 1500

PAGE: 6 of 9	INVESTIGATED BY: BARKLEY, JAY, 222, D/SERGEANT	INVESTIGATED BY: BARKLEY, JAY, 222, D/SERGEANT	REVIEWED BY:
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