

**VILLAGE OF FIFE LAKE
COUNCIL MEETING MINUTES
JANUARY 5, 2015**

Meeting called to order at 7:00pm by President Leedy

Roll Call:

Present: Hayes, Roesemeier, Deike, McGough, Fisk, Tummel

Absent: Clerk Caverson, Treasurer Jasper

Others: Public

Agenda:

Revise agenda from January 5, 2014 to January 5, 2015. Add items F-Post Clerk's Position, G-As Agreed Upon Practice

Motion by Fisk, supported by Roesemeier to approve the agenda as amended.

Motion carried unanimously.

No Special Order of Business

Consent Agenda:

Treasurer's Report: Hayes went over in Jasper's absence.

Motion by Roesemeier supported by Hayes to accept the Treasurer's Report as presented.

Roll Call: Fisk-Y, Deike-Y, McGough-Y, Tummel-Y, Roesemeier-Y, Hayes-Y, Leedy-Y

Unanimously carried.

Hayes noted that Treasurer Jasper received clarification from the state regarding funds placed in a "suspense" account, but details were not received timely enough to provide in the reports included in the packet. Deike commented in favor of having budget to actual reports at each meeting.

Bills Payable:

Motion by Roesemeier supported by Tummel to pay the bills as presented.

Roll Call: McGough-Y, Deike-Y, Hayes-Y, Roesemeier-Y, Tummel-Y, Fisk-Y, Leedy-Y

Unanimously carried.

Roesemeier inquired on the Forest Area Services invoice as to why it was not paid in December. Leedy put a note to hold pending further clarification from Council. Clerk Caverson stated at the December meeting that her job description always follows that of Michigan Municipal League General Law Handbook job description (included in packets). The one listed in MML shows the Clerk responsible for the bookkeeping service as part of her regular duties and pay. As we do not have any deviation from this in a resolution or minutes, Leedy inquired to MML for direction. It was advised that a resolution was recommended if Council planned to pay further funds to the Clerk or the Clerk's firm as a sub-contractor. If not, it would essentially be as if she were being paid twice to do the same job. Leedy held the invoice pending Council direction.

Update on Bookkeeping Services:

Leedy reported that Forest Area Service processed the last payroll of 2014 including reporting. Tessa Johnson, office staff will process payroll moving forward, as well as year end reports and W2s. Johnson paid the bills for December and processed reports. Leedy did not have her make any other changes at this point, so as to limit any confusion with Treasurer and FAS. Johnson will begin all aspects of our bookkeeping services and reporting moving forward. Reports have previously been created manually in the past. Johnson created reports within our software so the fields will auto-populate, to limit the possibility of error when transferring the data from our books to the manual reports. Roesemeier added that we are moving forward with Quickbooks in the cloud with good success.

Fisk inquired on the status of a Procedure Manual. Leedy has Johnson working on it based on a notebook she is keeping, as well as lengthy notes left by Sandy Miller, former employee.

Minutes:

Recommended corrections to the minutes were presented in writing.

Motion by Roesemeier supported by Deike to approve the minutes with the attached recommended corrections. **Motion carried unanimously.**

Police & Public Safety:

Police schedule is included in packet. Leedy will email the year end report which came shortly prior to the meeting.

Guests:

Dr. Bob Johnson, Grand Traverse County Commissioner introduced himself and gave his email of bjohnson@grandtraverse.org for contact should we need anything. Bob Menzies of 420 Merritt inquired if Dr. Johnson could help with BATA issues. Dr. Johnson will touch base with Dr. Dan Lathrop who is the commissioner assigned to the BATA board and express our ongoing concerns. Roesemeier noted our rider numbers are down due to lack of consistency on BATA's part. Leedy agreed, along with the limited communication which are the biggest problems our riders speak out about. Leedy suggested better marketing for potential riders could also improve our rider numbers.

Communications:

Roesemeier sent a condolence card to the family of former County Commissioner and Blair Township Trustee on behalf of the Council.

Public Comment: None

Zoning Report:

Zoning Administrator Billings gave a report. The barber shop moved to the former pharmacy building and we await their permit fee. Billings presented a letter from Meekers which was read aloud. The letter was specifying they would move the fence which is encroaching on Village property, at their expense in Spring of 2015. Billings asked Council for direction on the Boyd St property with the ramp over the sidewalk, as the homeowner is moving.

Motion by Roesemeier with support from Hayes to contact the resident to require removal of

the ramp prior to their vacating the property. Motion carried unanimously. Billings reminded Council of the Ice Fishing Derby on February 7.

Streets:

Miller was absent. Rosemeier stated she can tell the difference in the salt to sand mix ratio change, but feels it is not a bad difference and is effective.

DDA: Meets in January.

Planning:

PC passed the Right-of-Way ordinance language but ran out of time to pass the driveway ordinance due to a visit by John Sych from Grand Traverse County. We want to publish them at the same time as they are intertwined, to save on costs.

FLAUA:

Fisk gave report. FLAUA needs the signed copy of the 2 resolutions passed by the Council 12/1/14. FLAUA has asked Clerk Caverson for the signed copies but she has not done so, citing a clean copy being necessary to do so. Roesemeier asked if Caverson had been contacted. A clean copy was emailed to her and requests made by Rognlie, Leedy and Fisk with no success. Fisk noted the Clerk's refusal to provide the approved, signed documents has hindered the FLAUA progress in passing the copies on to the State.

Deike moved for the Council to present the copies (already signed by Leedy) of the 12/1/14 resolutions to Clerk Caverson with a required signature and return date of no later than 01/09/15. Fisk supported this motion. Discussion included that Fisk will present the documents in person, and if they cannot be signed at that time, Rognlie would pick them up once completed. McGough asked the normal process of resolutions. Fisk clarified that signed resolutions are normally available shortly after the meeting where they are adopted without exception. **Motion carried unanimously.**

Parks:

DNR Trust Grant did not get funded. A letter will be coming from the state. We scored in the middle, 303/500 and there were several hundred applications. We can reapply.

Finance:

Leedy reported a meeting on 12/22/14 with Jasper, Hayes and Roesemeier. Johnson has started working on creating reports within the Quickbooks program, as well as paying bills. Forest Area Services completed the last payroll of 2014 with reports, and Johnson will handle W2s and year end reporting. Johnson is doing well on learning various aspects of our bookkeeping including paying bills, reports, transfers and payroll. She will continue taking on the remainder of our bookkeeping moving forward. Roesemeier added that we are on a month-to-month subscription of payroll to QB in the cloud, but it seems to be working and we can change at any time. The reporting via QB online will reduce the opportunity for error.

Personnel:

The November committee meeting discussion included defining Job Descriptions for Clerk, Treasurer and Council. MML job descriptions were included in the packet. President's job is to ensure all jobs get done. A resolution is required to change public official job descriptions

such as Clerk or Treasurer. In researching, Leedy did not find any such resolution to deviate from the MML description. This is why she held the Forest Area Services invoices to do a month's worth of books for \$500 versus the Clerk doing so as part of her job description. Should we choose to pay the \$500, we need a resolution to do so. Moving forward, we either need to enforce the job descriptions in MML, or pass a resolution to amend job descriptions to reflect the Village's expectation of these positions' duties so it is clear to all. Roesemeier does not want to renege on the \$500 to FAS that the Council previously voted on. Deike does not want to set a precedent. Leedy proposed resolution language (attached). Roesemeier moved to adopt resolution #15-01 for a one-time payment of services to Forest Area Services, supported by Fisk.

Roll Call: Deike-Y, McGough-Y, Fisk-Y, Hayes-Y, Roesemeier-Y, Tummel-Y, Leedy-Y
Unanimously carried.

Leedy commented that during research of the past minutes, how well written minutes taken by Barbetta Lane were and commended her.

Personnel committee will further investigate Job Descriptions and make a recommendation. Hayes stated we would need to increase wages to Treasurer and Clerk if they were going to be required to do any bookwork or additional oversight. Hayes felt Deputy Clerk/Office Secretary did 75% of the work in the past, and Leedy agreed but felt that 95% of the work was being done by the Deputy Clerk/Office Secretary.

BATA: Nothing new from above discussion.

Caverson FOIA Invoice:

Clerk Caverson was not present at this meeting and did not provide an update. Roesemeier asked for the invoice to be listed in our list of bills. Deike does not want to sit on this another month not knowing any update. Deike moved to require correspondence from Caverson regarding her conversation with Village attorneys regarding this matter no later than 01/15/15. Hayes supported this motion. **Motion carried unanimously.**

Equipment Bids:

Leedy spoke with Mark Summers who was the successful bidder. Summers was planning on finalizing this deal by this meeting. No further communication has been received by Summers as of this meeting. Roesemeier stated we follow the direction of Council from the 12/1/14 meeting and put all equipment back out for bid. Consensus by Council was unanimous in agreement. Equipment will be put back out for bid.

LED Bids:

Bids were opened by Fisk and Tummel with citizens in the audience. Leedy recused herself. Fisk read results from 2 bids received on time, with all required documents. Remodeling Specialists bid was low bidder at \$244 per lamp/\$15,860 and Windemuller Electric was \$625 per lamp/\$44,561 for 65 lamps. Fisk noted Remodeling Specialists' Familial Disclosure indicated the relationship connection between Sturdavant and Leedy, thus Leedy recusing herself. Fisk recommended award of bid to low bidder. Deike prefers to spend our money locally when possible. Roesemeier moved to award the bid to Remodeling Specialists as per bid specification, supported by McGough.

Roll Call: Fisk-Y, Roesemeier-Y, Hayes-Y, McGough-Y, Deike-Y, Tummel-Y, Leedy-Recuse/did not vote. **Motion unanimously carries with one recusal.**

Furnace: Hayes did not yet contact Hicks Heating but will do so and ask for the 2 heat runs to be added.

Board Appointments:

Planning Commission:

Motion by Roesemeier supported by Fisk to re-appoint Susie Peterson-Bell for the term ending 2017. **Unanimously carried.**

Motion by Roesemeier supported by McGough to re-appoint Ron Broering for a term ending 2017. **Unanimously carried.**

Motion by Roesemeier supported by Fisk to appoint Adam Miller for a term ending 2018. **Unanimously carried.**

Motion by Leedy supported by Roesemeier to allow the Planning Commission to amend their bylaws to allow 6 members from 5. **Unanimously carried.**

DDA:

Motion by Hayes supported by Deike to appoint Tim Minder for a term ending 2017 and Kris Benke for a term ending 2017. **Unanimously carried.**

Council has asked that a thank you note be sent to Magee.

ZBA:

Motion by Roesemeier supported by Deike to appoint William Fisk for a term ending 2017, Adam Miller for a term ending 2018, Gordy Smith for a term ending 2018, Ron Broering for a term ending 2017 and Jim Hayes as an alternate with a term ending 2016. **Unanimously carried.**

Marilyn Hayes noted we will need to find a new recording secretary if Jim is moving to an alternate position.

FLAUA:

Motion by Deike supported by Roesemeier to appoint Ron Broering for a term ending 2018 and William Fisk for a term ending 2017.

Budget Hearing/Truth in Taxation:

Motion by Hayes supported by Roesemeier to set the Budget and Truth in Taxation hearing for 6:45 on 02/02/15. **Unanimously carried.**

Tessa Johnson, Office Secretary:

Deike recommended holding off on deputizing Johnson until we sort out Job Descriptions. Tummel asked if Johnson was doing that job now, Leedy confirmed that she is.

Motion was made by Roesemeier with support from Hayes to increase the number of hours Johnson is allowed to work to a range of 12-16 hours each week.

Roll Call: Hayes-Y, Roesemeier-Y, McGough-Y, Deike-Y, Tummel-Y, Fisk-Y, Leedy-Y
Unanimously carried.

Leedy performed a 90 day oral review with Johnson, indicating exemplary performance. Motion by Roesemeier with support by Tummel to increase Johnson's wage an additional \$1 hourly for a performance increase and increase in duties to be reviewed at her 6 months time.

Roll Call: McGough-Y, Tummel-Y, Roesemeier-Y, Fisk-Y, Hayes-Y, Deike-Y, Leedy-Y
Unanimously carried.

Missing documents:

Leedy advised Council of the finding of documents missing from the secured vault. Only 4 keys have been issued to: Leedy, Johnson Jasper and Caverson.

The known missing documents to date are Sandy Miller's resignation letter along with supporting documentation from her Personnel File as well as the copies put out for council at the August meeting. Later it was found Leedy's Oath of Office was missing from both the Personnel File and the main files where we keep the oaths. Leedy filed these records herself so she knows both records were put in both places. Leedy contacted the Village Attorney for direction who gave some thoughts and Leedy then contacted the Prosecuting Attorney's office. Charges could be filed such as larceny of a building and theft of public documents should it be proven that someone took the files from the secured room. Leedy has copies of the documents to replace them but we have a problem. No one has permission to remove documents from Personnel Files or even access those unless it's the Village President or Personnel Committee members. Roesemeier asked Leedy to ask Caverson and Jasper if they took the files and asked where Jasper was this evening. Leedy had not heard from her. Billings asked to speak. Billings recommended Leedy have someone with her to ask each of them. Sturdavant expressed concern that documents are leaving from employee files. Leedy will ask each of Caverson and Jasper with a member of a personnel committee present. Leedy asked for permission to purchase a smaller, locked file cabinet so that multiple people would be required for access and to separate the personnel and work comp issues from regular files in the vault. We have in the past, had allegations that work comp injury information had been leaked about one of our employees. Deike suggested we give personnel committee members a key to a new file cabinet and Leedy has a key to the vault so it requires 2 keys to access the files. Leedy would like to see a log to show who accesses files and what date. Deike moved we purchase a cabinet so that our personnel files be moved to their own locked storage box and the members who get the key are the current members of the personnel committee except the president. Motion was supported by Roesemeier.

Roll Call: Fisk-Y, McGough-Y, Deike-Y, Tummel-Y, Hayes-Y, Roesemeier-Y, Leedy-Y
Unanimously carried.

Deike moved to place a camera that we already own in the office area to monitor access to the vault and anyone incoming to the office area, supported by Tummel.

Roll Call: Roesemeier-Y, Hayes-Y, McGough-Y, Deike-Y, Fisk-Y, Tummel-Y, Leedy-Y
Unanimously carried.

Post Clerk Position:

Hayes made a motion to post Clerk Position with applications due before the 02/02/15 supported by Roesemeier. **Unanimously carried.**

As Agreed Upon Practice:

Leedy received a suggestion based on bookkeeping changes and document control issues that we do something similar to a mini-audit called "As agreed upon practice" where an auditor comes out and pulls 25 random transactions and they check to see that everything in

our books and then checks our minutes and policies to ensure how we are doing things complies with our policies. Leedy suggested we entertain this process after recommendations by county officials to maintain confidence of the public. Deike suggested we do this once we close our books for the year.

Motion by Hayes with support by Tummel to put out for sealed bid request an As Agreed Upon Practice, due back 02/02/15 at 6:30pm to be opened at that time.

Roll Call: Fisk-Y, Deike-Y, Roesmeier-Y, Tummel-Y, Hayes-Y, McGough-Y, Leedy-Y

Unanimously carried.

Public Comment:

Zoning Administrator Scott Billings asked if we have his payroll schedule worked out so he can begin receiving consistent pay on a consistent schedule. Carol Billings asked how one paycheck was forgotten and expressed frustration. Hayes explained it was just simply missed. Leedy suggested we add a pay schedule to the Job Description. Deike apologized for the mix-ups.

Bob Sturdavant of 125 Morgan St asked if we are backing up Village files and stated he liked the room set up and it was easier to see and hear.

Bob Menzies of 420 Merritt St stated we should be requiring the cigarette butts on the ground need to be addressed as there are a significant amount all over the sidewalk and road. He also stated that our snow blower is hitting the lampposts and name plates. Leedy had mentioned to Miller who was going to provide additional training.

Carol Billings of Oak Street asked what the Village's responsibility for clearing snow in front of the buildings, besides the sidewalks. Leedy said it is the business owner's responsibility and Roesemeier suggested she contact the business owner.

Board Comments: Roesemeier inquired on the Front Street tree damage complaint that was presented at the last meeting. Leedy passed that on to our Insurance Carrier who then handles any potential claims. They will be denying the claim, even if it is on our property as we are covered by Governmental Immunity. The survey provided in the claim does not put context to the street right-of-way location. The Village is under no obligation to provide a survey to claim or disclaim ownership but if our SAW grant provides the proper information we can establish it at that time the work is finished. The Street Committee of 7 people went out to measure at one point to establish property lines and at the time, our measurements each way indicated the tree was not on village property. The insurance carrier will handle all communication relating to the claim.

McGough asked for a timeframe on the missing documents. One document has been missing since November but the other it could have been since late August or early September. Leedy does not regularly access the files but happened to look back for a copy of Miller's letter to compare with the H&R Block letter received about bookkeeping services. Sandy Miller replied that she given notice with her last day to be August 15 but then left early after a note from Clerk Caverson which she felt was harrassing. Hayes stated from September only 3 people had keys but we added a 4th keyholder in November.

Meeting adjourned at 9:30pm by Roesemeier.