

Augusta Charter Township
8021 Talladay Road, Whittaker, MI 48190
Regular Board of Trustees Meeting
May 13, 2013 7:00 p.m.

1. Call meeting to order at 7:00 p.m.
2. Pledge of Allegiance.
3. Roll Call: Present: Dew, Giszczak, Howard, Keefe, Hafler by Teleconference and Thornton. Absent: Todd.
4. Motion by Howard, 2nd by Giszczak to nominate Trustee Keefe as Meeting Chair in the absence of Supervisor participating by teleconference. Motion passed.
5. Motion by Giszczak, 2nd by Keefe to accept the agenda as submitted with the following amendments:

To combine related items:

8E and 8J Lawn and Cemetery, and
8-O with 8-F Freedom of Information Act Coordinator and FREEDOM OF INFORMATION ACT problems with Clerk;

To move items to 5/28/2013 meeting:

8G Assessor Report (missing requested information mentioned in report);
8 Q: GASB 54 removed from agenda by Clerk 3/26/2012);

To move items to 6/10/2013 meeting:

8-H Budget Review, missing information both provided and requested,
8-I-Hall Fix Up,(to ask for recommendations be provided for Board to consider),
8-K Dissolve Accounts Receivable Committee before auditor in June,
8-L Grant Funding Application Information, and 8-P Archive Rental Space Cost Reduction.

Todd arrived at 7:06 p.m. Roll Call: Aye: Giszczak, Howard, Keefe and Todd.
Nay: Dew, Hafler and Thornton. Absent: None. Motion passed.

6. Motion by Giszczak to approve the 04/23/13 Meeting Minutes as submitted, withdrawn.

7. Motion by Hafler, 2nd by Thornton to accept any changes to the Meeting Minutes of 04/23/13 either in written or verbal to the Clerk for change, friendly amendment by Giszczak, as presented at the Board Of Trustee meeting, accepted by Hafler. Roll Call: Aye: Dew, Hafler, Thornton and Todd. Nay: Giszczak, Howard and Keefe. Motion passed.
8. Public comment opened at 7:32 p.m. closed at 7:50 p.m.
9. Motion by Thornton, 2nd by Todd to approve the Washtenaw County Road Commission contract as submitted for \$203,105.40, friendly amendment by Giszczak accepted by Thornton, to authorize the Supervisor and the Clerk to sign the contract. Roll Call: Aye: Dew, Giszczak, Hafler, Howard, Keefe, Thornton and Todd. Nay: None. Absent: None. Motion passed.

10. Motion by Giszczak, 2nd by Todd to:

adopt the Lessee Resolution (Exhibit B) approving the Master Equipment Lease for the Fire Tanker Truck contingent upon receipt of the Township Attorney's completion of the Opinion of Lessee's Counsel (Exhibit C). Further that upon receipt of the Township Attorney's completion of the Opinion of Lessee's Counsel (Exhibit C,) to then authorize the Supervisor and the Clerk to execute the following documents: the Schedule of Equipment (Exhibit A) the Master Lease Purchase Agreement (page 6), Schedule of Equipment No. 1 (Exhibit A and Attachment 1 and Attachment 2), the completion of Acceptance Certificate (Exhibit D) upon delivery of the equipment, the Bank Qualified Certificate (Page 13), the Insurance Coverage Requirements (Page 16), Escrow Agreement (Page 20), Tax Compliance and No Arbitrage Agreement (Page 24) and Form 8038 G (Information . To further authorize the Treasurer and Clerk to sign the Payment Request Form being used as a signature card (page 21), and Payment Request Form (page 22) upon delivery of the Fire Tank Truck to release financed funds to Rosenbauer South Dakota, LLC. Further to direct the Supervisor to sign and submit Insurance Coverage Requirements (Page 16) to MCM Group where MCM Group will forward proof of insurance to Lessor including annual renewal certificates.

Roll Call: Aye: Dew, Giszczak, Hafler, Howard, Keefe, Thornton and Todd.
Nay: None. Absent: None. Motion passed.

11. Motion by Hafler, 2nd by Keefe to accept bid from Lawn Care Plus (Joe Bake) for 11200 Tuttle Hill and 8021 Talladay for \$140.00 every two weeks. Roll Call: Aye: Dew, Giszczak, Hafler, Howard, Keefe, Thornton and Todd. Nay: None. Absent: None. Motion passed.
12. Motion by Howard, 2nd by Todd to accept proposal for Child Cemetery supplies totaling \$357.70, friendly amendment Hafler, accepted by Howard, upon receipt on expense report. Roll Call: Aye: Dew, Giszczak, Hafler,

Howard, Keefe, Thornton and Todd. Nay: None. Absent: None. Motion passed.

13. Motion by Giszczak, 2nd by Howard to accept FREEDOM OF INFORMATION ACT Coordinators resignation for the record:

As of 4 pm today, Wednesday, May 8, 2013 I, Trustee Kathy Giszczak, am resigning as the Freedom of Information Act Coordinator.

The township business needed at our Board meeting on 5/13/2013 is to fulfill the Michigan Compiled Law (MCL) which says that the Board of Trustees "Shall" appoint a Freedom of Information Act Coordinator.

I accepted the Board's appointment for two reasons. First, to provide accurate and comprehensive public information, and second to document a defensible paper trail against unnecessary lawsuits on behalf of the Augusta Charter Township Board of Trustees.

Without the full support of my fellow officers, the Supervisor and the Treasurer, the role of the Freedom of Information Act Coordinator is unnecessarily time consuming which is causing an undue burden on fulfilling the responsibilities and duties of the Clerk's office.

Provided are the only two (2) Freedom of Information Act Requests outstanding as of this date. They are #FOIA-13-06 and #FOIA-13-08 and the requestor has accepted a 15 day extension which are due May 28, 2013, by 4pm.

Roll Call: Aye: Dew, Giszczak, Howard, Keefe, Thornton and Todd. Nay: Hafler. Absent: None. Motion passed.

14. Motion by Thornton, 2nd by Todd to appoint Trustee Howard as the Freedom of Information Act Coordinator, accepted by Howard. Roll Call: Aye: Dew, Giszczak, Hafler, Howard, Keefe, Thornton and Todd. Nay: None. Absent: None. Motion passed.
15. Motion by Hafler, 2nd by Todd that the Township uses the Freedom of Information Act Form. Roll Call: Aye: Dew, Giszczak, Hafler, Howard, Keefe, Thornton and Todd. Nay: None. Absent: None. Motion passed.
16. Motion by Hafler, 2nd by Todd for Supervisor to work with the front desk receptionist to put together an information flyer for new service water and irrigation meter, friendly amendment Howard accepted by Hafler to submit to Board of Trustees by July 1, 2013. Motion passed.

17. Motion by Todd, 2nd by Dew for 5 minute break at 8:53 p.m. Motion passed.
18. Meeting called back to order at 9:01p.m.
19. Motion by Hafler, 2nd by Todd to accept Resolution to return the Superintendent assignments to the Supervisor as amended, effective date of May 13, 2013 and insert into the meeting minutes for the record:

Resolution to Return Superintendent Assignment to Supervisor

RESOLUTION 13-03

DATE RESOLUTION PROPOSED: 05/13/2013

DATE RESOLUTION ADOPTED: 5/13/2013

At a regular meeting of the Township Board of Trustees of Augusta Charter Township, Washtenaw County Michigan, held at the Township Hall of said Township on the 13th day of May 2013, the following resolution was offered by Supervisor Hafler, seconded by Trustee Todd:

WHEREAS, this Board did authorized under the Charter Township Act, MCL, 42.10, to appoint a township superintendent.

NOW, THEREFORE, BE IT RESOLVED that the Board did appoint Trustee William Tobler to be Superintendent of Augusta Charter Township, at no additional compensation.

The Board assigns the following responsibilities back to the Elected Supervisor, Pete Hafler, for the following reasons:

WHEREAS, This computer system needs regular maintenance that addresses the needs of the hardware and software. The role of the IT Coordinator is to work with the IT Technical Vendor. The current Superintendent has demonstrated it is a waste of time to have a third party person. The reasons that were given to assign these duties to a superintendent were not correct. The Supervisor instructed the IT Technical Vendor to disable the account password of the then terminated Deputy Treasurer who was fired! This was at the recommendation of the IT Vendor.

THEREFORE, BE IT RESOLVED that the duty of the Township IT coordinator be returned to the Elected Supervisor, Pete Hafler, to perform.

WHEREAS, the Board employs various independent contractors to perform various functions for the township, and these contractors include, but are not limited to, Wade-Trim, McClain Winters, Pear Sperling Eggan & Daniels, Robertson Eaton & Owen, Coucke Property services, Carlisle/Wortman, and Orchard Hiltz & McCliment et.al. These contractors ultimately report to the board although certain day-to-day interactions may be properly assigned to various township officials. The Board wishes that its interactions with the independent contractors to be at high standards of professionalism and clarity, and that these contractors welcome the business with Augusta Charter Township. Currently this is assigned to the Superintendent and it is disruptive to the everyday duties of the elected Supervisor.

THEREFORE, BE IT RESOLVED this duty be reassigned to the Elected Supervisor, Pete Hafler, and he is to be the official interface between this Board and its various independent contractors, and that these contractors be advised that they are to ignore unauthorized communications from Superintendent William Tobler.

FURTHER, BE IT RESOLVED that the Board may by a motion amend Resolution 13-03 at any time.

Roll Call: Aye: Dew, Hafler, Thornton and Todd. Nay: Giszczak, Howard and Keefe. Absent: None. Motion passed.

20. Motion by Keefe, 2nd by Howard to table the Utility motion to next meeting. Roll Call: Aye: Giszczak, Howard and Keefe. Nay: Dew, Hafler, Thornton and Todd. Absent: None. Motion failed.

21. Motion by Hafler, 2nd by Thornton to Terminate The Services of Wade Trim and The City Of Milan. I, Pete Hafler, Supervisor of Augusta Township do hereby make a motion to give 90-day notice of termination of services, effective May 13, 2013 @ 11: 29 PM to Wade Trim and the City of Milan.

During the 90-day transition period, according to their agreement, Wade Trim is directed to work with and assist the new utilities contractor for a smooth transition.

During this transition period we direct that Wade Trim update the new utilities contractor on any and all upgrades and changes to our Water and Sewer System and Billing. Also during this transition Wade Trim will complete Water Meter Reads for June and all Sewer Reads. We also direct that Wade Trim turn over all records, software, equipment, inventory, Pump Stations, to the new utilities contractor and Augusta Charter Township Supervisor, Pete Hafler, within this 90-day transition period.

Pursuant to the Joint Agreement for public services entered into agreement in 2012 between the City of Milan, Wade Trim and Augusta Charter Township, paragraph 10 under "Termination" states that "**Either party may terminate this Agreement without cause upon delivery of written notice at least thirty (30) days before the actual date of termination**". Therefore in the best interest of the taxpayers of Augusta Township, I hereby submit this motion as notice of termination of the agreement between Wade Trim, City of Milan and Augusta Charter Township as of August 11, 2013 at 11:29 pm.

Friendly amendment by Howard to consult township attorney, denied by Hafler. Roll Call: Aye: Dew, Hafler, Thornton and Todd. Nay: Giszczak, Howard and Keefe. Absent: None. Motion passed.

22. Motion by Hafler, 2nd by Thornton to Rehire/Reinstate The Services of Utilities Management Services.

I, Pete Hafler, Supervisor of Augusta Charter Township on this date, May 13, 2013, do hereby make a motion to rehire/reinstate Utilities Management Services.

Whereas based on previous BOT budget and financial discussion related to anticipated increase in cost to Augusta Charter Township tax payers, it has been determined that these services can be provided more efficiently and at significantly less cost with our previous contractor Utilities Management Services.

Beginning August 11, 2013 @11:30 pm, Utilities Management Services will be directed to take over all Utility and Billing Services.

During the 90-day transition period we would request that Utilities Management Services work with Wade Trim for a smooth transition. During this transition period we would request that Wade Trim update Utilities Management Services on any and all upgrades and changes to our Water and Sewer System and Billing. During this transition Wade Trim will complete Water Meter Reads for June and all Sewer Reads. We also request that Wade Trim turn over all records, software, equipment and inventory to Utilities Management Services and Augusta Charter Township Supervisor, Pete Hafler, within this 90-day transition period, and that a list of inventory be presented to the BOT at the end of the transition period.

Roll Call: Aye: Dew, Hafler, Thornton and Todd. Nay: Giszczak, Howard and Keefe. Absent: None. Motion passed.

23. Public comment opened at 9:58 p.m. closed at 10:05 p.m.

24. Motion by Dew, 2nd by Howard to adjourn meeting at 10:18 p.m. Motion passed.

Respectfully submitted:

Pete Hafler, Supervisor

Kathy Giszczak, Clerk

Date

Date