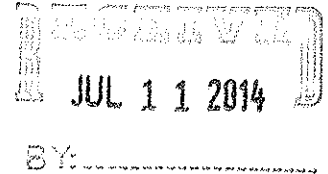


Augusta Charter Township
8021 Talladay Road, Whittaker, MI 48190
Regular Board of Trustees Meeting
June 9, 2014 7:00 pm



1. Meeting called to order 7:00 pm.
2. Pledge of Allegiance.
3. Roll Call: Present: Dew, Giszczak, Hafler, Howard, Keefe and Thornton, Absent: Todd.
4. Todd arrived at 7:03 pm.
5. Motion by Giszczak, 2nd by Howard to accept agenda as submitted with the following amendment to move the Web Hosting Check.com up to the agenda item for Computer Updates and Quotes. Motion passed.
6. Motion by Hafler, 2nd by Thornton to approve meeting minutes of May 27, 2014 as amended. Motion passed.
7. Public Comments opened at 7:09 pm and closed at 7:14 pm.
8. Motion by Dew, 2nd by Thornton to approve the bid date June 9, 2014 from Kym Jones for not to exceed \$10,000.00 to reconcile all of the bank accounts. Friendly amendment Todd, accepted by Dew for effective immediately, as a vendor. Friendly amendment Giszczak, accepted by Dew to authorize as a prepay to meet the vendors payment terms. Roll Call: Ayes: Dew, Giszczak, Hafler, Howard, Keefe, Thornton and Todd. Nay: None. Absent: None. Motion passed.
9. Motion by Hafler, 2nd by Thornton for the Clerk and as Trustee Giszczak not to contact BS&A when it does not concern her department. Friendly amendment Giszczak, not accepted by Hafler that the board does not have the authority to restrict any board of trustee member from researching township business. Roll Call: Ayes: Dew, Hafler, Keefe, Thornton and Todd. Nay: Giszczak and Howard. Absent: None. Motion passed.
10. Motion by Giszczak, 2nd by Hafler to introduce the Augusta Charter Township Civil Infraction Ordinance. Roll Call: Ayes: Dew, Giszczak, Hafler, Howard, Keefe, Thornton and Todd. Nay: None. Absent none. Motion passed.
11. Motion by Giszczak, 2nd by Todd to put the HostingCheck.com on the first meeting in July 2014. Roll Call: Ayes: Dew, Giszczak, Hafler, Howard, Keefe, Thornton and Todd. Nay: None. Absent: None. Motion passed.

12. Motion by Hafler, 2nd by Todd to direct the Clerk to distribute the mail and not scan and let each department handle its own business. Friendly amendment Giszczak, not accepted by Hafler, to recognize that the Clerk, having discussed this with many board's, and this board many times, will continue to open, identify and deliver the mail. (including emails) to the appropriate departments and Board of Trustees. Roll Call: Ayes: Dew, Hafler, Keefe, Thornton and Todd. Nay: Giszczak and Howard. Absent: None. Motion passed.

13. Motion by Hafler, (no 2nd provided) that any and all confidential materials coming from our attorney be sent to the Supervisor with the understanding that the Supervisor will distribute them to the board and collect them at the end of the board meeting. Motion withdrawn.

14. Motion by Giszczak, 2nd by Keefe to Rescind the boards 5/27/14 action where in item # 26 the "motion by Todd, 2nd by Hafler to completely eliminate the deputy clerks salary. Friendly amendment Hafler, accepted by Todd, effective the next immediate pay period. Friendly amendment Giszczak, not accepted by Todd, to acknowledge that the board does not have the authority to interfere with performance of the Clerk's statutory duties, nor to assign the Clerk's deputy work, location of, nor schedule work and further to acknowledge the board may set salaries of deputies and may wish to consult labor law attorney regarding the board's consequential discriminatory actions. Friendly amendment Hafler, accepted by Todd to (do) budget amendment to 101-215-702.200 (Deputy Clerk's Salary) to reflect zero. Roll Call: Ayes: Hafler, Todd, Thornton, Dew. Nay: Giszczak, Howard, Keefe. Absent: None. Motion passed. That this is in violation of Federal and employment law therefore I move that the Augusta Charter Township Board comply with the laws and rescind the previous motion. Roll Call: Ayes: Giszczak, Howard, Keefe. Nay: Hafler, Todd, Thornton and Dew. Absent: none. Motion failed.

15. Motion by Todd, 2nd by Hafler to approve the Augusta Charter Township Resolution 2014-05 "RESOLUTION DETERMINING SALARY OF DEPUTY CLERK UPON WORK WITHIN TOWNSHIP OFFICE AND DURING ESTABLISHED BUSINESS HOURS" effective from the last pay period as read into the record:

**Augusta Charter Township Board
Washtenaw County, Michigan**

**RESOLUTION DETERMINING SALARY OF DEPUTY CLERK
UPON WORK WITHIN TOWNSHIP OFFICE AND DURING ESTABLISHED BUSINESS HOURS**

RESOLUTION NUMBER 2014-05

**DATE PROPOSED: 06/09/2014
DATE ADOPTED: 06/09/2014**

WHEREAS, ON January 13, 2014, the Augusta Charter Township Board adopted Resolution 2014-01, establishing Regular Township Hall Business Hours and Requiring Staffing of Business Hours, which required that:

1. The regular business hours of the Township Hall shall be each Monday through Friday from 9 am through 4 pm, except for recognized holidays, which shall be New Year's Day, Martin Luther King Day, Presidents Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving and the day following Thanksgiving, and Christmas Eve through New Year's eve; and
2. During the regular business hours of the Township Hall, there shall at all times be present at least one representative of the Clerk's office(the Clerk or Deputy Clerk), of the Supervisor's office (the Supervisor or Deputy Supervisor) and at least one representative of the Treasurer's office (The Treasurer or the Deputy Treasurer). The Clerk, Supervisor and Treasurer shall each be responsible for assuring that their office meets this requirement; and

Whereas, since January 13, 2014, the Township Clerk and Deputy Clerk have repeatedly failed to comply with the requirements of Resolution 2014-01, leaving the Township's office unstaffed by any representative of the Clerk's office during established business hours; and

Whereas, it is reasonable to expect that the office of the Township Clerk should have at least one representative available at all times during regular business hours in the Township's regular office to serve the needs of the public and of other Township departments; and

Whereas, the Township Board has full authority to determine the Salary of the Deputy Clerk pursuant to MCL 41.69, and the Township Board finds that such salary should be determined based only upon work by the Deputy Clerk performed both within the Township's regular office and during established business hours, to fulfill the intent and purpose of Resolution 2014-01.

NOW, THEREFORE, the Township Board hereby resolves, orders and directs that;

1. The salary of the Deputy Clerk shall be set at the current legal minimum wage for each hour the Deputy Clerk works, both within the Township's regular office and during the regular business hours established under resolution 2014-01.
2. No salary shall be authorized or paid to the Deputy Clerk for work outside of the Township's regular office or outside of the Township's established business hours. No salary shall be authorized or paid to the Deputy Clerk for any overtime hours. No salary shall be authorized or paid to the Deputy Clerk for any hours worked until the Township Supervisor has verified those hours in writing.
3. The Deputy Clerk shall keep an accurate and current written record of the dates and times that he or she works both within the Township's regular office and during regular business hours, which record shall be openly displayed and available for review at any time by the Township Supervisor and by any Township Board member in the township's office.
4. The Township Clerk may certify this resolution. If the Township Clerk fails to certify the same upon request, then the Township Supervisor is authorized to certify that Resolution.
5. All prior resolutions and parts of prior resolutions insofar as they conflict with the provisions of this Resolution are hereby rescinded.

Upon roll call vote, the following voted:

Motion by Todd, 2nd by Hafler to approve the Augusta Charter Township Resolution 2014-05 " RESOLUTION DETERMINING SALARY OF THE DEPUTY CLERK UPON WORK WITHIN THE TOWNSHIP OFFICE AND DURING ESTABLISHED BUSINESS HOURS." Effective from the last pay period as read into the record. Roll call: Ayes: Dew, Hafler, Thornton and Todd. Nays: Giszczak, Howard, Keefe. Motion passed.

The Supervisor declared the resolution adopted.

CERTIFICATE

I, Kathy Giszczak, the duly elected and acting Clerk of Augusta Charter Township, hereby certify That the foregoing resolution was adopted by the Township Board of said Township, as presented at a meeting of said Board held on June 9, 2014, at which meeting a quorum was present by a roll call vote said members as hereinbefore set forth; that said resolution was ordered to take immediate effect from the last pay period.

Kathy Giszczak, Augusta Charter Township Clerk

Roll Call: Ayes: Dew, Hafler, Thornton and Todd. Nays: Giszczak, Howard and Keefe. Motion passed.

- 16. Public comments opened at 10:40 pm, closed at 10:40 pm.
- 17. Motion by Hafler , 2nd by Howard to adjourn at 10:40 pm. Motion passed.

Lynda A. Dew _____ *7-10-14*
Lynda Dew, Treasurer Date signed

Pete Hafler *7/9/14* * *7/10/14*
Pete Hafler, Supervisor Date signed

Kathy Giszczak *7/10/14*
Kathy Giszczak, Clerk Date signed

→ INCORRECT: The clerk can not certify the final minutes due to her absence AT THE 6/24/14 MTG which approved them ~~on~~ 7/10/14