

Augusta Charter Township
3021 Talladay Road, Whitaker, MI 48190
Regular Board of Trustees Meeting Minutes
November 18, 2014, 7:00 p.m.

1. Call meeting to order at 7:01 pm.
2. Pledge of Allegiance.
3. Roll Call: Present: Dew, Keefe, Thornton, Hafler, Howard. Absent: Giszczak, Todd.
4. Motion by Hafler, 2nd by Dew to approve agenda as amended: 9F – Lincoln Golden Ages Request moved to 7B, Added 9G – Cancellation of November 25, 2014 Board of Trustees Meeting, Added 9H – Discussion of Deputy Clerk's salary, Moved 9A – Nexus Gas Transmission Request to 8B2. All in favor: Aye: 5. Nay: None. Absent: Giszczak, Todd. Motion passed.
5. Motion by Keefe, 2nd by Dew to appoint Cath Howard as temporary Clerk in the absence of the Clerk. All in favor: Aye: 5. Nay: None. Absent: Todd, Giszczak. Motion passed.
6. Motion by Thornton, 2nd by Hafler to approve 10/18/2014 meeting minutes as submitted. All in favor: Aye: 5. Nay: None. Absent: Giszczak, Todd. Motion passed.
7. Public comments opened at 7:10 pm, closed at 7:12 pm.
- 7b. Lincoln Golden Ages Request. No action.
- 8a. Motion by Hafler, 2nd by Keefe to accept fire report as given. All in favor: Aye: 5. Nay: None. Absent: Todd, Giszczak. Motion passed.
- 8a. Motion by Hafler, 2nd by Howard to ~~accept~~ ^{introduce} Ordinance #2014-1 for 2012 International Fire Code to be posted on website, in Township Hall, in Display Case outside Township Hall. Roll call: Aye: Howard, Keefe, Thornton, Dew, Hafler. Nay: None. Absent: Todd, Giszczak. Motion passed.
- 8b. Motion by Hafler, 2nd by Keefe to accept Utility report as given. All in favor: Aye: 5. Nay: None. Absent: Giszczak, Todd. Motion passed.

- 8b. Motion by Keefe, 2nd by Hafler to accept first reading of Water Shutoff Policy amending Ordinance #2014-2. Roll call: Aye: Dew, Keefe, Thornton, Hafler, Howard. Nay: None. Absent: Giazczak, Todd. Motion passed.
- 8b2. Motion by Keefe, 2nd by Thornton to fill out Nexus Gas Transmission survey authorization form for Augusta Township property at Willis and Whittaker Roads. All in Favor: Aye: 5. Nay: None. Absent: Todd, Giszczak. Motion passed.
- 8c. Motion by Keefe, 2nd by Hafler to approve warrants #15599 through #15661. Roll call: Aye: Keefe, Dew, Hafler. Nay: Howard, Thornton. Absent: Todd, Giszczak. Motion passed.
- 8c. Motion by Howard, 2nd by Keefe to accept Clerk's 2nd quarterly report as submitted. Roll call: Aye: Dew, Keefe, Howard. Nay: Thornton, Hafler. Absent: Todd, Giszczak. Motion passed.
- 8d1. Motion by Thornton, 2nd by Howard to approve refund of \$5,803.60 to Wesley Williams Estate to correct error that has been in effect since 1995 as a prepay. Roll call: Aye: Dew, Keefe, Thornton, Hafler, Howard. Nay: None. Absent: Todd, Giszczak. Motion passed.
- 8d2. Motion by Dew, 2nd by Keefe for Treasurer to purchase 1 – Epson Series TM-H6000TV Receipt Printer, 1 – Epson UB-EOE Print Server 1xNetwork (RJ-45), and 2 – APG Cash Drawers for a total of \$1,347.50 as a prepay. Roll call: Aye: Thornton, Dew, Keefe, Hafler, Howard. Nay: None. Absent: Giszczak, Todd. Motion passed.
- 8d3. Pest control. No action.
- 8d4. Fire Department phone bill. No action.
- 8d5. Cash handling policy discussion. No action.
- 8e. Motion by Hafler, 2nd by Keefe at accept Assessors report as submitted. All in favor: Aye: 5. Nay: None. Absent: Gizczak, Todd. Motion passed.

- 9b. Motion by Keefe, 2nd by Howard to approve 2015 Board of Trustees Meeting Schedule as amended: 1/13/15 to 1/12/15, 2/10/15 to 2/9/15, 3/10/15 to 3/9/15, 4/14/15 to 4/13/15, 5/12/15 to 5/11/15, 6/9/15 to 6/8/15, 7/14/15 to 7/13/15, 8/11/15 to 8/10/15, 11/10/15 and 11/24/15 to 11/17/15, and 12/8/15 and 12/22/15 to 12/15/15. Utilities Advisory Committee meetings from Tuesday's prior to BOT meetings to 3rd Wednesday of month. Changed 1/3/15 to 1/3/16. Roll call: Aye: Howard, Thornton, Keefe, Dew. Nay: Hafler. Absent: Todd, Giszczak. Motion passed.
- 9c. Motion by Hafler, 2nd by Thornton to direct Clerk to appear at all meetings according to Augusta Charter Township Notice and Order to Appear. Roll call: Aye: Keefe, Howard, Dew, Hafler, Thornton. Nay: None. Absent: Todd, Giszczak. Motion passed.

AUGUSTA CHARTER TOWNSHIP
NOTICE AND ORDER TO APPEAR

TO: KATHY GISZCZAK, CLERK
AUGUSTA CHARTER TOWNSHIP
8021 TALLADAY ROAD
WHITTAKER, MI 48190

Please take notice that the Augusta Charter Township Board will be meeting at 7:00 pm on October 28, 2014, at the Augusta Township Hall, 8021 Talladay Road, Whittaker, MI 48190. You are ordered to appear personally at such time and place, to provide responses under oath in response to specific inquiries of the Augusta Charter Township Board. Your failure to appear at such time and place will constitute misconduct in office pursuant to MCL 42.7(8).

On October 14, 2014, pursuant to its authority under MCL 42.7(8), the Augusta Township Board voted unanimously to require you to attend the Board's October 28, 2014 meeting. On October 16, 2014 and October 17, 2014, respectively, the Township Supervisor and Township Attorney, on behalf of the Board, wrote you to seek your answers to a number of inquiries relevant to your actions and inactions in your office as Township Clerk. Pursuant to my authority under MCL 41.64b, at 7:00 pm on October 28, 2014, I will place you under oath for the purpose of receiving your responses to each of the following inquiries presented to you by the Township Supervisor and the Township Attorney, namely:

1. Please advise whether you intend to comply with the Board's motion compelling you to attend all regular and special meetings of the Board?

Why have you refused to come to the Board Meetings as Clerk and take the Meeting Minutes since June 2014?

2. Please advise whether you intend to comply with the January 13, 2014 Board Resolution and statute by staffing the Township Hall during all ordinary business hours?

Why has there been nobody in your office for the residents to be able to ask questions and turn in and receive paperwork for the next coming election?

You have recently hired as an election assistant the same Jan BenDor that was your Deputy; why is it she can now work in the hall all day, as an Election Assistant (With You & Without You) but could not as your Deputy?

What wages is Ms. BenDor being paid as an Election Assistant?

3. Please advise whether you intend to comply with MCL 750.492 by allowing the inspection of public records in your custody at your office by Board members and the public in the Township Hall during the Township's established business hours.
4. Please advise whether you intend to comply with the above the Township Attorney's June 16, 2014 legal opinion and cited law, permitting the Supervisor and Treasurer to open and have all custody of the mail addressed to their offices.

Why do you refuse to accept the Township Attorneys' advice and act on your own?

5. Please advise whether you intend to comply with the Township Attorney's June 13, 2014 legal opinion and cited law, by immediately communicating with the UIA and retracting the erroneous and unlawful information you proved them on October 8, 2014?

Alternatively, do you plan to reimburse the Township for the cost of the losses you caused the Township by writing your October 8 letter, or will you require the Township to seek reimbursement for those amounts against your bond?

6. Please advise whether you intend to pay the Township restitution for the unauthorized and excessive amounts you paid to your former deputy, or whether you will require the Township to seek reimbursement of those amounts against your bond?
7. Please advise whether you intend to pay all Township vendors within not less than five (5) days after the Township Board has approved their invoices for payment?

Why are some of the approved Warrants & Prepays not being paid?


Why do you refuse to follow the Board's directions?

Why are you sending the Supervisor invoices without explaining why and what is needed, if anything?

8. Please advise whether you intend to provide the Treasurer original invoices as documentation for all requested disbursements?
9. Why do you fail to reply to Emails?
10. Why were you off work June 14 and 15, and why did you not come to work on June 16 until 2.40 pm?
11. Do you have another job with another employer besides the Township?

The Township Board will receive and consider your answers to the above inquiries at that time.

Respectfully submitted,


Pete Hafler, Supervisor
Angusta Charter Township

Dated: 10/21/14

- 9i. Motion by Keefe, 2nd by Howard to accept Clerk's resignation as liaison to Water Resources. All in favor: Aye 5. Nay: None. Absent: Giszczak, Todd. Motion passed.
- 9d. Motion by Hafler, 2nd by Thornton, to nominate Trustee Joe Keefe as Board liaison to Water Resources. All in favor: Aye 5. Nay: None. Absent: Giszczak, Todd. Motion passed.
- 9e. EFT for Fire Department. No Action.
- 9g. Motion by Keefe, 2nd by Thornton to cancel BOT meeting of November 25, 2014. All in favor: Aye: 5. Nay: None. Absent: Giszczak, Todd. Motion passed.
10. Public comments opened at 10:13 pm, closed at 10:15 pm.
11. Board of Trustees response opened at 10:19 pm, closed 10:19 pm.
12. Motion by Hafler, 2nd by Keefe to adjourn 11/18/2014 meeting at 10:20 pm. All in favor: Aye: 5. Nay: None. Absent: Giszczak, Todd. Motion passed.

Respectfully Submitted:

~~Iva Bielec, Meeting Minute Taker~~ a

~~Date~~ a

(KW)

~~Cath Howard, Acting Clerk~~ a

~~Date~~ a

(KW)

x *Pete Hafler*
Pete Hafler, Supervisor

12/17/14
Date

x *Kathy Giszczak*
Kathy Giszczak, Clerk *QJH*

12/17/14 Date

K. Howard 12/17/14