

**CARROLLTON TOWNSHIP BOARD
REGULAR MEETING
Monday, January 30, 2023**

<u>Roll Call:</u>	Supervisor Abney	Present
	Clerk Fritz	Present
	Treasurer Thurston	Present
	Trustee Douglas	Present
	Trustee Westphal	Present

There being a full board, Supervisor Abney called the meeting to order at 5:30 p.m. Also in attendance: Office Manager Megan Weaver, Sergeant Chris Kellett, DPW Superintendent Don Sumption and Fire Chief Bob Tetloff.

Acceptance of Agenda:

It was moved by Fritz and supported by Westphal to accept the agenda as presented. There being all ayes, the motion carried.

Public Comments:

Chaplain Jessie Dawkins, 4641 Baylor Ct., expressed her condolences on the passing of Craig Oatten. She stated that her interaction with Chief Oatten in the past had always been a positive one. Ms. Dawkins extended her services to all Carrollton Township employees. Township Board members thanked Ms. Dawkins for her kind words and for being at the Township Office that morning when staff arrived at work. It was greatly appreciated.

Abney called for a moment of silence in remembrance of Police Chief/Township Director Craig Oatten.

Approval of Minutes:

It was moved by Thurston and supported by Fritz to approve minutes for: December 27, 2022 - regular meeting and January 9, 2023 – departmental meeting. There being all ayes, the motion carried.

Accounts Payable:

It was moved by Douglas and supported by Thurston to approve the January Accounts Payable in the amount of \$443,109.20. There being all ayes, the motion carried.

Quarterly Investment Report:

It was moved by Thurston and supported by Fritz to receive and file the quarterly investment report for 12/31/22. There being all ayes, the motion carried.

Committee/Commission/Board Reports:

It was noted in the Fire Department report that Matt Dennings had been moved to the position of Captain (due to Sam Curnutt's resignation) and Victor Hathon was now Lieutenant. The Safety Officer position would remain vacant at this time.

Fritz informed the board that he had worked with both Sergeant Kellett and Code Enforcement Officer Salazar on reformatting the monthly reports for police and code enforcement data. Discussion followed.

Sumption stated that the security cameras had been installed at the Township Office and in both Stoker and Hanchett parks. Charter would be installing the internet connection for the park cameras soon.

Sumption stated he would be attending the City of Saginaw Wholesale Water Customer meeting and would be getting the new water rates for the next few years. He had received some preliminary figures that showed the per unit cost increasing by 3% and the ready-to-serve charge increasing by 7%.

Sumption provided the Northwest Utilities Authority 3-Year Average computation worksheet for review which showed the Township's average decreasing slightly. Sumption also reviewed the pump station capacity evaluation report. Discussion followed.

Fritz stated that on McCarty Rd. (just before the overpass), there are several trees that are falling over into the Universal Drain. Sumption would take a look and let the Drain Commissioner know.

Pending Business:

Weaver stated that a hearing date had been set due to Carrollton Center not completing the list of items in the court order. Their deadline was December 31, 2022. The hearing was scheduled for March 7, 2023 at 11:15am.

Abney discussed the evaluation of the Township's sidewalks that had been done many years ago under the supervision of the previous DPW Superintendent. He asked Sumption to get some pricing on sidewalk replacement for the most traveled roads in the Township (N. Michigan, Church, Mapleridge, etc.).

Douglas suggested setting a date for the CAVS Committee meeting and discussion was held on the road projects slated for 2023. Weaver stated that Pioneer Trail had been approved at the previous meeting, and she would bring the preliminary estimate of cost for Lynn St. to the next meeting for board approval. Discussion followed. A CAVS Committee meeting date would be set soon.

Weaver stated that she had a phone conference with Don Scherzer and Tanya Moore from Spicer Group reference the grant opportunities for Sherman Park. The SPARK Grant was highly competitive with numerous applications. There was also a DNR Grant that was available but would need match dollars. Discussion followed. Thurston suggested that during the upcoming

budget preparation, to look at setting aside some funds in the next fiscal year for Spicer Group to prepare a grant application.

New Business:

Weaver presented an email from Recreation Chairperson Simone Hardy with some ideas that the committee would like to look into further. Those included implementing a flag football program, providing college tour visits, and future field trips and family outings (example: Michigan Adventure). Weaver had let Hardy know that if the board agreed to looking into providing these programs/trips, she would reach out to the Township's liability insurance carrier for guidance. Much discussion followed. It was board consensus to support the Recreation Committee's ideas and to have them bring back more details for the proposed programs once they have them.

Public Comments:

Raymond Jones, 3675 Jackson, asked what residents were supposed to do with their recycle bins once the new curb cart collection starts. Abney responded that they could be used for personal use; or, since they're plastic, maybe put them in the new recycle bin to be recycled.

Director Comments:

Weaver asked the board members if the Township Office could be closed on Thursday, February 2 in order for Township employees to attend Craig Oatten's funeral. It was moved by Westphal and supported by Douglas to close the offices on Thursday, February 2, 2023. There being all ayes, the motion carried.

It was board consensus to move shut-off day for delinquent water/sewer bills to Monday, February 6, 2023.

It was board consensus to lower the flags to half-staff for the remainder of the week in memory of Craig Oatten.

Board Comments:

Douglas thanked Ms. Dawkins for her attendance both that evening and earlier that morning and showing support to our workforce who was hurting and grieving. Douglas complimented Weaver on stepping up and showing support to the employees and board members that day. He also complimented Abney on his interview with the news stations. Douglas stated that he was willing to do whatever was needed that evening to make the adjustments required in order to keep the Township's operations moving forward.

Thurston stated that she felt the meeting that morning was very important for everyone. She commented on how hard Oatten worked in getting the Iron Belle Trail in Carrollton Township and the Trailhead was near completion. She had spoke with Tanya Moore from Spicer Group about possibly doing something at the Trailhead to memorialize Oatten and Tanya suggested a large rock be placed there with a plaque on it and maybe a flower garden surrounding it. Board members very much liked Tanya's suggestion. Discussion followed.

Fritz apologized for not being able to attend the gathering that morning as he had a work conflict. He thanked the other board members for being a support system for the Township employees. Fritz asked that the current Township ordinance pertaining to the storage of garbage cans be put on the next agenda as it needed to be looked over and possibly amended with the new curb cart collection coming that summer.

Westphal stated that moving forward, it was going to be hard to fill Craig Oatten's shoes; however, she felt that everyone would do their best to make him proud.

Abney stated that he appreciated everyone that had stepped up including Ms. Dawkins. He spoke about Craig Oatten's dedication to Carrollton Township and the multiple projects that he had worked so hard on. With his passing, it was going to be very tough time for Carrollton Township as Oatten would be greatly missed.

Abney stated that there was no longer a need for executive session (listed on the agenda) as it had been planned before Oatten passed away to discuss his employment contract.

Abney stated that he would like to discuss how the Township would be moving forward both temporarily and for the long-term. He stated that he had many conversations with Weaver, the Township's attorney, and the attorney at Michigan Townships Association (MTA). He then distributed a copy of the Organizational and Operational Review that was completed in April, 2006 by Rehmann Robson and the meeting minutes from the Special Meeting held on July 17, 2006 where the Township Board approved the recommendations from Rehmann Robson. One of those recommendations was to appoint Oatten as the Township Director along with his Police Chief role.

Abney explained that while the review was done in 2006, it was very thorough and he would like the other board members to compare how it was then to what we have in place now. In talking with both attorneys, Abney stated that the attorneys came up with a solid plan of temporarily assigning the duties of police chief to the sergeant; and temporarily assigning the duties of the Township Director to the Township Supervisor. He continued that the reason for this plan was due to the circumstances of losing Oatten so suddenly. Both the MTA attorney and the Township's local attorney agreed that this was a solid plan and the best way to slow things down while the Township Board reviews how they want to move forward. Whether that be appointing a new township director or having all department heads answer to the Township Board individually. He asked the board members to go through the operational review and then they can make an informed decision on how the Township will operate going forward.

Abney continued that Public Act 169 of 1976 allows for municipalities under 40,000 in population to allow a board member to take on non-statutory duties by vote of the entire Township Board. He stated that both the MTA attorney and the Township's local attorney said that a motion can be made and a vote of all board members, including the Supervisor, could be done granting those duties to the Township Supervisor. Abney then opened it up for discussion.

Fritz asked that the position of Police Chief be discussed first. Abney stated that he had a conversation with Sergeant Chris Kellett prior to the meeting and asked him if he would be willing to take on the police chief duties temporarily and he responded that he would. Abney continued that Kellett would still execute his regular sergeant duties, and if needed, come in to the office during the day (Kellett currently works nights). Fritz questioned if there would still be adequate road patrol coverage if the

chief duties were assigned to the sergeant. Kellett responded that there were five officers and assured the board that the coverage was there. Thurston stated that she felt it was very important to have a chief available during regular daytime hours for the residents; whether that be 8am-12noon or later afternoon hours. Kellett responded that on his off days of working the night shifts, he could be available during the day (much like he already does for court hearings and other duties related to his sergeant role). He would have no problem providing a schedule. Much discussion followed.

Westphal asked how to handle the fact that Kellett belonged to the police union in his sergeant position, so how would that work? Kellett responded that he thought the only issue that may arise is when it came to discipline. Abney stated that he talked to Dan Kuhn and there shouldn't be any issues. Discussion followed.

Westphal asked which handout that Abney provided that evening was from the lawyers. Abney responded that the only thing he handed out was the organizational review and meeting minutes from 2006. Abney continued that when the board members read through the review, they will see the various job descriptions and duties. Fritz then handed out the job descriptions for the Police Chief, Supervisor, Office Manager and Township Director. Westphal stated that she felt that the information handed out was a lot to review and she offered the suggestion of calling a special meeting at a later date in order for everyone to have time to read everything over. Thurston stated that there were two decisions that needed to be made: one for the short-term and one for the long-term. The Township needs a police chief immediately. The two concerns she had was that 1) the appointed chief have a set schedule so that residents know when the chief is available, and 2) appoint a third person (non-union) to the existing Personnel Committee to avoid any issues when it came to discipline and personnel issues. Discussion followed.

Thurston also suggested that something be put in writing reference adding a third person temporarily to the Personnel Committee. Thurston would also like something in writing from Dan Kuhn either confirming or not confirming whether an amendment needs to be made to the Police union agreement reference the temporary chief duties being appointed to the sergeant. It was moved by Thurston and supported by Abney to temporarily appoint Chris Kellett as Interim Police Chief effective immediately, appoint Megan Weaver to the Personnel Committee until a chief of police is hired, to amend the Personnel Committee policy to reflect the temporary change, and to obtain written confirmation from Dan Kuhn on whether an amendment was needed for the POAM Police Bargaining Unit Agreement. There being all ayes, the motion carried. It was noted that the code enforcement officer would continue to report to the police chief.

Abney asked for input on the appointment of director duties temporarily and stated again that the recommendation from the attorneys and himself was to appoint him temporarily until the Township Board decides how the Township should operate moving forward. The operational review describes the position of township director as a part-time position.

Thurston felt that assigning additional duties to a board member was a very serious issue. Carrollton Township is a board-led township. The board members are supposed to be as equal as possible and she felt extremely uncomfortable assigning any extra duties to an elected official, even temporarily. She felt that it would be more appropriate to assign the director duties to Office Manager Weaver as she was at the office every day and was more in tune to the day-to-day operations. Abney stated that was the reason that he consulted with two different attorneys to make sure that the decision that was

made was within the law. Discussion followed.

Fritz reviewed the existing Township Director job description. While he felt that Abney was qualified for the job, he worked full-time, and he didn't see how daily decisions could be made in an efficient and timely manner. Weaver worked alongside Oatten on all of the numerous projects that he had going on and was fully capable of taking on the job of director. Discussion followed.

Douglas stated that he understood the concern about day-to-day operations, but he knows the public will be patient while we are going through this transition. He doesn't feel that having Weaver take on the additional duties, along with being in the middle of budget preparation and everything else that's on her plate, was a good idea. He would rather the duties be assigned to Abney, and he appreciated Abney stepping up and offering to do it.

Westphal stated that she knows Weaver worked very closely with Oatten and at times they finished each other's sentences. She continued that it was best for Township to have Weaver take on the director duties and the board support her in every way they can. Westphal stated that she could see both sides and she ideally would like to have time to review all of the information that was handed out that evening before making a final decision. She also felt that Oatten should be laid to rest before making this big of a decision and asked to call a special meeting to do so after the funeral. Much discussion followed.

It was moved by Thurston and supported by Fritz to appoint Office Manager Megan Weaver to the position of Interim Township Director effective immediately. Douglas questioned why Thurston and Fritz would go against the attorney's recommendation. Thurston responded that she didn't feel that she was going against any attorney opinion because no one else was privy to the conversation with the attorneys other than the Township Supervisor. Thurston continued that her motion was not creating an unlawful decision, she felt that appointing Weaver (with 23 years of experience) was the best decision for Carrollton Township. Westphal added that if the attorney made a recommendation to this board, it should have been presented in writing for all five of them to review. Abney requested a roll call vote.

Roll call:	Thurston	Yes
	Douglas	No
	Westphal	Yes
	Fritz	Yes
	Abney	No

There being 3 ayes and 2 nays, the motion carried.

It was moved by Douglas and supported by Abney to provide support for Weaver in this interim position. There being all ayes, the motion carried.

Adjournment:

It was moved by Fritz and supported by Thurston to adjourn. There being all ayes, the meeting adjourned at 7:19 p.m.

Respectfully submitted,

Jerry W. Fritz, Clerk

Public in attendance:

Rose King	3427 N. Michigan
Chaplain Jessie Dawkins	4641 Baylor Ct.
Raymond Jones	3675 Jackson