

**KIMBALL TOWNSHIP BOARD OF TRUSTEES
2160 WADHAMS ROAD, KIMBALL, MI 48074
REGULAR MEETING
AUGUST 18, 2020
6:30 P.M.**

Usakowski opened the meeting at 6:30 p.m. with Pledge of Allegiance

ROLL CALL OF OFFICERS: Usakowski, Jackson, Deland, Wrubel, Hoffman, Ward and Sturdevant

ABSENT: None

I. APPROVAL OF AGENDA

Usakowski requested an addition after Public Comment for a Grievance (Step III) Sturdevant motioned to accept Agenda as amended supported by Hoffman.

MOTION CARRIED

II. PRESENTATION OF MINUTES FOR JULY 21, 2020

Deland requested an additional inclusion of the discussion regarding the transfer of the credit card from Jackson to Wrubel. "Jackson explained the process of the credit card."

Wrubel requested the correction that there are "six" openings on the various boards.

Deland motioned to approve the minutes as amended supported by Jackson.

MOTION CARRIED

III. CONSENT AGENDA AND COMMUNICATIONS

A. Check Register from 07/02/2020 to 07/16/2020

B. Revenue & Expenditure Report for Period Ending 07/31/2020

Deland questioned about the two separate invoices from HP Electric (July 22-August 7). Wrubel explained that there were problems in the bottom of the lift station. Original work did not relieve the problem, had to go back into the bottom of the lift station to lift the shoe.

Sturdevant asked for clarification for DTE Energy and the various addresses.

Wrubel confirmed they were for the lift stations and street Lights at those locations.

Deland questioned the invoices for cleaning of Library for June and July.

Usakowski expressed similar concerns and had emailed Allison for clarification. Although we are reimbursed by the County, we are still paying for it as tax payers.

Clarification regarding the process of Covid-19 with the returning of books.

Jackson motioned to accept the disbursement of \$1, 043,332.42 supported by Sturdevant.

ROLL CALL VOTE: Yes: Jackson, Sturdevant, Wrubel, Hoffman, Ward, Deland and Usakowski. NO: None. ABSENT: None. (7, 0, 0) **MOTION CARRIED**

IV. BOARDS AND COMMISSIONS

A. St. Clair County Board of Public Works Minutes for 08/21/2020

B. St. Clair County Board of County Road Comm. Minutes for 08/21/2020

C. Board of Review Minutes for July 21, 2020

Usakowski advised that they had expanded the deadline for contest of the assessing changes from March to the July Meeting.

Deland motioned to approve the minutes as presented supported by Hoffman.

MOTION CARRIED

V. PUBLIC COMMENT (Brief Comments) – None

VI. BOARD GRIEVANCE

A. Step III Grievance Hearing – Open Meeting request by grievant

Brian Berg (Union Representative of the Local 324 Operating Engineers):

On July 9th, *Just Cause* discipline – Township Clerk Wrubel and Supervisor Usakowski terminated Don Nelson, DPW Worker. Didn't file *Just Cause* with proper discipline process.

On August 12th we met with Clerk Wrubel (Step I). Following that met with Supervisor Usakowski (Step II). They both denied the grievance.

We do not believe this offense rises to the 3rd Level Offense. They did not prove Mr. Nelson interfered or coerced the claimant.

Usakowski: We received a letter dated June 25th from a female employee who was on the lot alone, and was extremely upset. It was not a regular conversation, like they had been friends for years going back and forth. Which is the question: Why was Don on the premises?

Berg: Mr. Nelson contends there were three open work orders for that address, and that he went by to install the 900 reading for meter, and was there to see if the meter was installed. Were there work orders for Don to be there to finish the 900 water meter?

Regarding the employee, was she blocked or prevented from leaving, as is contended in the grievance. No, she was questioned about a supervisor who had just died.

Usakowski: What “conversation” would lead a person to return to work and write up a letter of complaint, and then for a supervisor to furthermore bring it up, to rise to the attention of the board? He was demeaning their work.

Berg: According to her letter, he was responding to her questions.

This dismissal is not normal *Just cause* for a minor misconduct.

Deland: Why is Jody not here? [Death in the family]

Usakowski: Step I of the Grievance process is a meeting with your direct supervisor. He failed to show up to the hearing for the first step of the grievance.

Tom Portis: I have a question. At the time of the dismissal, who was Don meeting with? Was the meeting with his Foreman or with his Union Steward? Jason is the Steward and the boss.

Usakowski: The union determines who their steward is.

Portis: He had no representation at the meeting by the Union Steward.

Sturdevant: I know Jody and I believe she felt harassed. Was it bad enough to document the issue?

Usakowski: It was documented and brought to our attention.

Sturdevant: She is a person who tries to get along. Was she coerced? Or threatened? Perhaps prodded to make a comment that would lead to a level of coercing or interfering.

Jackson: I spent 25 years working with union employees. There is always an official that you needed to go to. My question is: Did he have a work order in hand; did he have a reason to be on Marion Avenue? Because in my experience, you have to write down what you do each day.

Portis: When we had a problem with work orders 4-5 years ago, you have to keep an eye on the employees and what they are doing. When Bob was here, I convinced him to appoint Becky to oversee the DPW, because they had a problem over there. I know Don. Don is a good worker, and he wouldn't say anything out of the way. This may have been a joke, just blown out of proportion.

I got a seven-man board in place to represent the whole township, so that the Executive Board wouldn't be able to railroad the board into a decision.

Usakowski motioned to deny the grievance. Supported by Wrubel

ROLL CALL VOTE: YES: Usakowski, Wrubel, Jackson and Sturdevant. NO: Deland, Hoffman. ABSTAIN: Ward. ABSENT: None (4, 2, 1, 0)

MOTION CARRIED

VI. UNFINISHED BUSINESS

A. I. T. Right Contract

Usakowski explained that there has not been an increase in the contract since 2007. IT Right is taking a more proactive approach to protect data after the recent of servers, as has been in the news. For example, Garamond recently had to pay \$10 Million in ransom to get their data back. IT Right is taking a more proactive approach. There needs to be additional training and updates to our system, as they have identified weaknesses with our current computers.

Usakowski also explained that the township has used IT Right for over 13 years and we have been very pleased with their services. Several other municipalities have put the contract out for bid, as is our policy that this increase would normally be to send it out for bid. Their bids came back much higher for the services IT Right is providing, and we are very satisfied with their service. There is high doubt we would be able to find another service for less than this one.

Usakowski explained to IT Right that in the future, we can budget for increases. However, he also pointed out that if we had a 3% increase over the past 13 years, there would have been \$22,000 additional charges.

Usakowski motioned to waive the Bid Policy and accept the contact with IT Right. Supported by Jackson

ROLL CALL VOTE: YES: Usakowski, Jackson, Wrubel, Sturdevant, Ward, Deland and Hoffman. No: None. ABSENT: None. (7, 0, 0)

MOTION CARRIED

VII. NEW BUSINESS

A. William Turner: Disconnection of Water Service

Jackson recently spoke Mr. Turner and can confirm he is bed ridden. He was a pioneer of the Township in the 1940s and 50s. Discussion regarding the "Readiness to Serve" charge versus capping the line and paying the Inspection Fee. While the property is still in court, this may not be possible.

Deland motioned to table until property is cleared up.

Discussion.

Deland modified her motion and motioned to put a hold on the "Readiness to Serve" until property is cleared up with courts. Supported by Hoffman.

ROLL CALL VOTE: YES: Deland, Hoffman, Wrubel, Sturdevant, Ward, Usakowski and Jackson. No: None. ABSENT: None. **MOTION CARRIED.**

B. Bluewater Gas Storage: Well Project

Presented for informational purposes (this is an essential service).

C. ESRI: Renewal Quotation

Usakowski explained that the ESRI is used for a lot of different aspects of the township and it has been included in the budget for \$4,000. It has been re-quoted with a new invoice in the last month.

Usakowski motioned to approve the quote supported by Sturdevant.

ROLL CALL VOTE: YES: Usakowski, Sturdevant, Wrubel, Jackson, Ward, Deland and Hoffman. No: None. (7, 0, 0) **MOTION CARRIED.**

D. Policy Review

Usakowski advised that board members will get policies in their boxes to look over and evaluate. Currently in review is the Administrative Policy. He covered Section 2.4, in which it is the responsibility of the Township Clerk to oversee the Day to Day operations of the office for cohesion in the office.

E. Budget Shortfall Adjustments

Usakowski reviewed that the Township has a short falls in anticipated funds due to Covid19. We anticipate there will be an \$80,000 reduction in our Revenue Sharing, as well as an elimination of the Statuary Revenue Sharing. Elimination of other funding. It has been replaced with CARES Dollars, and we have applied for the grant, as it related to the First Responders for \$45,000. We have also applied for another grant for \$32,000 for Hazard Pay to pay to each First Responder.

Usakowski explained the additional changes anticipated including: changes in office with the retirement of the bookkeeper, time period without a clerk, part time office clerk resigned and no current plans at this time to replace that position. Gratz has adjusted the fire department budget by \$21,000. There will also be substantial changes to medical expenses, loss of revenue from tipping Fees, as there has been a decline due to the operational functions of the land fill.

Usakowski expressed optimism with these proposed changes, as we are pretty close to the mark. We will still have to keep an eye on the economy, may need additional cuts to the budget as we move forward.

Usakowski motioned to approve the Budget Adjustments. Supported by Wrubel.

ROLL CALL VOTE: YES: Usakowski, Wrubel, Sturdevant, Jackson, Ward, Deland and Hoffman. No: None. (7, 0, 0) **MOTION CARRIED**

VIII. **AUDIENCE PARTICIPATION** – None

IX. **OFFICERS REPORT**

A. Supervisor Usakowski

Parks: Mitchell Cooney has been hired and is excited and energetic. There is a need to clarify the hourly wage of the park attendant

Usakowski motioned to approve the increase in Park Attendant wage to \$13.11. Supported by Jackson.

Question asked by ~~Sturdevant~~ Hoffman and answered: He is not close to 40 hours a week, as he is still working full time job.

ROLL CALL VOTE: YES: Usakowski, Sturdevant, Wrubel, Jackson, Ward, Deland and Hoffman. No: None. (7, 0, 0) **MOTION CARRIED**

Assessing: Progress is going well with the objective of getting 20% of the properties re-evaluated. There have been very few complaints about the department.

Ordinance: The Blight team (Erickson and staff) are working on cleaning up the report. An updated report was passed out which was exported into Excel for ease of understanding the outstanding items

Planning Commission: There are two applicants for the commission, and one applicant is potentially interested applying for the position of Ordinance Enforcement. Usakowski will be getting with the applicants and with Erickson.

B. Clerk Wrubel

DPW: Openings in the department have been posted on Indeed, and applications will be accepted until Friday. We have 60 applicants so far.

Election Yard Signs may be placed 60 days prior to election, and need to be taken down 7 days after an election.

Road Watch: Round-About at Dove Road scheduled to be done around the 4th of September.

Applications for the Certificate of Occupancy have added a section for the Meter Box installation, dates and completed service date to be signed off by DPW.

Board openings on the Fire Board we are still looking to fill.

Wrubel advised that she will not be in the office on Thursday and Friday, as she will be in the field with the DPW team member. One of our DPW workers will be off, so she will be covering for them.

InfraMap: We had an online meeting for getting the mapping system for the DPW/DEQ set up. We have a follow up meeting on Thursday morning, getting the maps from the county

Elections: We will be applying for a grant from Michigan Bureau of Elections for \$200/precinct to cover the expenses of PPE and cleaning supplies.

C. Treasurer Jackson

Question regarding getting notice from Blue Water Community Action (BWCA) for help with Water. They want to know if we want to be involved. Need more information.

Considering putting large water bills to Collections with Tom Riley as has been done with fire billing. Confirmed 30% of fee goes to the collection agent to retrieve the money.

Speaking with Lawyer about Water Ordinance.

Invoice Cloud: We are having a rough time with reconciliation of the books. The full amount of the money due and the service charge are being deposited into our bank account, creating a problem with balancing the books. We will have to write a check to them to pay the service charge.

Reviewed Financials.

D. Trustee Hoffman – None

E. Trustee Deland

Assessing: Requested clarification of process involving knocking on the door of homeowner.

Write up and Grievance on the agenda: We should have known about it.

Construction: Is Jason certified high enough to do the work?

Usakowski responded that we would need 500 residents more until we reach the next level of certification

F. Trustee Sturdevant

Masonic Lodge: Don't know if/when Breakfast will be able to restart

American Legion: Fish Fry continues as "Take-Out only". Served around ~~00~~ 100 people, which helps pay the bills at the Legion.

Fire Extinguishers Inspection this past week. Everything is in good shape, however there are concerns about school being damp and musty. We may want to consider a container.

Clerk Wrubel deferred to Deputy Clerk Carwyn, who spoke about rules regarding the length of retention, and we maintain the integrity of our permanent files. There needs processes in place to identify with a label on the outside of the box the contents, retention dates and destruction date. There is also the concern about types of destruction. Shredding done professionally is expensive and have to go through contracts at the state. We are working to ensure that all of our documents are maintained correctly.

Usakowski asked about using Document Imaging. Wrubel explained that we are working with the State and MTA about the use of these types of document storage.

G. Trustee Ward – None

X. ADJOURNMENT

Wrubel motioned to adjourn the meeting at 8:07 p.m. Supported by Deland.

MOTION CARRIED

Meeting adjourned at 8:07 p.m.

Submitted by Becky Wrubel, Clerk