

CHARTER TOWNSHIP OF VAN BUREN
BOARD MEETING MINUTES
MAY 15, 2018

Supervisor McNamara called the meeting to order at 7:00 p.m. in the Board Room. Present: Supervisor McNamara, Treasurer Budd, Clerk Wright, Trustee Frazier, Trustee Martin, Trustee Miller and Trustee White. Others in attendance: Secretary Montgomery, Executive Assistant Selman, I.T. Director Rankin, Public Services Director Best, Public Safety Deputy Director (Police) Wright, Water and Sewer Director Taylor, Recreation Director Wright, Township Attorney McCauley and an audience of eleven (11).

Supervisor McNamara announced that the month of May is Honor and Remember Month. Board members read the names of fallen tri-community members who served in the armed forces. A representative from Honor and Remember gave a brief presentation highlighting the organization and their on-going project. America's Run for the Fallen commenced on April 7, 2018 and will run through August 5, 2018 whereby volunteers will run from Ft. Irvine, California to Arlington National Cemetery reciting the names of fallen members of the armed forces every mile. The run will be broadcast live daily from 7:00 a.m. until 5:00 p.m. at www.runforthefallen.org. Supervisor McNamara requested a moment of silence in memory of fallen heroes.

Supervisor McNamara stated the Agenda had been revised to include approval of the Police Officers Labor Council (POLC) Patrol and Dispatch union contract under the Consent Agenda.

Motion by Trustee White to remove New Business item #5 from the agenda. Motion failed for lack of support. Trustee White explained his position noting Trustee Frazier is innocent until proven guilty, has been a valuable participant on the Water and Sewer Commission and has apologized.

APPROVAL OF AGENDA: Budd moved, Wright seconded to approve the agenda as amended. Motion Carried.

CONSENT AGENDA: Martin moved, Miller seconded to approve the Consent Agenda. [Board Meeting Minutes of April 17, 2018, Prepaid List of April 19, 2018, Prepaid List of April 26, 2018, Prepaid List of May 3, 2018, Prepaid List of May 10, 2018, Voucher List of May 1, 2018, Voucher List of May 15, 2018, Approval of the contract between the Township and Zambelli Fire Works for the 2018 Fireworks show, Approval of the purchase of two Dell R440 Servers and Storage Rack, Approval of the appointment of Gerald McKelvey to the Water & Sewer Commission with a term to expire June 1, 2019, Approval of the appointment of Amos Grissett as a full member of the Board of Zoning Appeals with a term to expire December 1, 2020 and Approval of the Police Officers Labor Council (POLC) Patrol and Dispatch union contract]. Motion Carried.

Board Members thanked Mr. McKelvey and Mr. Grissett for their desire to serve on their respective Committee/Board. Supervisor McNamara gave a brief overview of the POLC contract which, includes an overall 8% cost of living increase over four years, elimination of the requirement to wear a tie, new jackets and outlines criteria required for promotion to the rank of Sergeant.

CORRESPONDENCE/ANNOUNCEMENTS: Announcements included: The Clerk's Office in conjunction with staff and senior students hosted the Belleville High School Student Council Election on Tuesday May 8, 2018, forty-nine percent of eligible students voted, sixty-five students registered to vote and twelve Election Inspector applications were completed, the Township Administrative Offices will be closed Monday May 28, 2018 in observance of Memorial Day, parking over the side walk is a violation of the Michigan vehicle code and local Township Ordinance. During the next two weeks Officers will be warning violators after which time tickets will be issued, the U.S. Coast Guard will be performing watercraft safety inspections May 19, 2018 from 9:00 a.m. until 4:00 p.m. and May 20, 2018 from 9:00 a.m. until 3:00 p.m. at the east boat launch, and increased grant funding from the Detroit Wayne Mental Health Authority has been secured for the Summer Youth Program (The REAL) this year. Correspondence included: A letter from residents thanking Water and Sewer employees Karen Pecsénye and Brad Hine who went above and beyond in notifying them of a water usage spike during their absence and quickly responded to a water

leak in their basement and a letter from the City of Belleville thanking the Public Safety Department personnel for their assistance with the tragic accident of April 25, 2018 at the railroad tracks.

At the request of Trustee White and Supervisor McNamara, Director Best gave an overview of the results of the Michigan Harmful Algal Bloom (HAB) study. Samples of lake water during and after algal blooms were taken by lake residents throughout 2017. Results of the study indicate that Belleville Lake experiences regular algal blooms vs. harmful and levels of toxins associated with health risks have not occurred. Residents interested in participating in this year's study can contact the Developmental Services Department at 734-699-8913 for more information.

PUBLIC COMMENT: Resident commented on the following: Asked what recourse there was if Trustee Frazier was found guilty of shoplifting. Supervisor McNamara indicated that the Board had limited recourse other than censure. Trustee Frazier indicated that she was not going anywhere and could be recalled.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Frazier Moved, Miller seconded to approve Resolution 2018-07 amendments to Resolution 2013-05 The Board of Trustees Meeting Conduct Policy. Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin and Miller. Nays: White. Motion Carried. Revisions include clarification on the rules when addressing the Chair, seating, Voting, Board member decorum with time limits for comment and the addition of a Sergeant at Arms. Board members expressed a desire to move forward with the revisions and agreed to review the policy in 90 days. Trustee White opposed time limits for comment and allowing any Board member to call a point of order.

Budd moved, Wright seconded to approve of the second (final) reading of Ordinance 04-03-18 to the Charter Township of Van Buren Zoning Ordinance 5-2-17 (2) to modify certain accessory building regulations. Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin, Miller and White. Motion Carried. Proposed amendments address minimum setbacks, approval process for accessory building which exceed the lot coverage requirements in non-residential districts, concrete floor and rat wall in agricultural districts and detached shed exemptions.

Miller moved, Frazier seconded to approve the purchase of Avaya IP Office Server Edition VOIP Phone System from Suntel. Motion Carried. A bid opening was held on March 2, 2018. Three bids were received and reviewed. The lowest bidder, Suntel Services, has been selected for the project of replacing the thirteen-year-old VOIP phone system and network switches at the cost of \$97,602.44. I.T. Director Rankin has requested the addition of 6% (\$5,856) for unexpected cost or labor. Replacement of the phone system was identified, discussed and budgeted for during the budget process. Trustee Frazier requested a desire to have a comparative analysis highlighting the pros, cons and discrepancies of each project bidder going forward.

Frazier moved, Miller seconded to approve the Bus Transportation Agreement between the Township and Van Buren Public Schools for the Summer Camp Program. Motion Carried. The three-year agreement sets forth the responsibilities of both parties in providing transportation for the Summer Camp program. The agreement has been approved by the Van Buren School Board. A change in next year's contract will change the ten days right of termination by either party to thirty days.

On April 17, 2018 the Board of Trustees found Trustee Frazier in violation of the Township Ethics Policy (Resolution 2003-05) in the following regards: Engaging in conduct on December 31, 2017 that led to her being charged with retail fraud in the City of Taylor, failing to notify the Supervisor of the events of December 31, 2017 and repeatedly and dishonestly taking credit at the March 6, 2018 Board meeting for the creation and placement of a favorable "Township in the Spotlight" article related to the Township in the March 2018 edition of Michigan Township Focus, the official publication. Trustee Frazier is censured for her prior conduct in violation of the Ethics Policy and is removed from her position as the Board Representative to the Township Water and Sewer Commission and she is to conduct herself in an orderly manner at all meetings of the Township Board in compliance with MCL 42.7 (8).

Board members opposed indicated that Trustee Frazier has not been found guilty of shoplifting, has apologized, has been an active participant on the Water and Sewer Commission, and has endured enough humiliation. Board members in support of censure indicated their desire to impose a penalty for violation of the policy within the limits of their authority, she had numerous opportunities to bring forth her arrest prior to the meeting of April 17, 2018, elected officials should be held to a higher standard and to not impose a penalty for violation would send the wrong message to Township staff and residents. Trustee Frazier indicated that she did everything she was supposed to, had apologized, that residents did not seem overwhelming concerned, that one mistake does not define your life, that she had withdrawn from attendance at the Michigan Township Association Conference to not cause embarrassment and that those supporting censure were being petty and vindictive.

Miller moved to call the question, Frazier seconded. Motion Carried.

Miller moved, Budd seconded to approve Resolution 2018-06 Public Censure and Penalty. Roll Call Vote. Yeas: McNamara, Budd, Wright and Miller. Nays: White and Martin. Abstained: Frazier. Motion Carried.

NON-AGENDA: No public comment was received.

Clerk Wright responded to a previous comment by Trustee White indicating “there’s a bomb going to go off in this Board Room before too long”. Wright indicated that Trustee White had called him earlier in the week asking him if he had talked to the Supervisor about conversations he and the Supervisor had with a speaker during a training session at the MTA conference regarding municipal credit card use. Wright maintains that he has always adhered to the Township credit card policy specifically reimbursable expenses. Clerk Wright stated in the telephone conversation White threatened that if he did not drop his stance on the Frazier censure item that he would expose that Wright was in violation of misuse of the Township credit card under The Michigan Penal Code Act 328 of 1931. Wright has contacted the Township attorney for review and no violation of the Township policy and/or The Michigan Penal Code Act 328 of 1931 has occurred. White disputed the threat claim and stated there have been violations of credit card use in the Township that he has been researching and will be bringing forward. In White’s opinion the systemic abuse goes back years but if his research does not pan out it does not pan out. Clerk Wright announced a 1.9-million-dollar surplus in the 2017 final budget attributing the amount to an increase in total revenue and Departments throughout the Township coming in under budget. The Township has received an unmodified rating the highest possible in the most recent financial audit by Plante Moran.

ADJOURNMENT: Budd moved, Miller seconded to adjourn at 8:28 p.m. Motion Carried.

Leon Wright, Township Clerk

Date: _____

Kevin McNamara, Supervisor

Date: _____