

Bridgewater Township
Special Board Meeting

~~March~~ April 22, 2010

Present: Carver, Faust, Mull, Oliver, and Riley

DRAFT MINUTES

Fred Lucas Township Attorney is present

Attendance: 5

Supervisor called the meeting to order at 7:05pm and held a Moment of silence/Silent Prayer. Supervisor led the pledge of allegiance to the flag.

Supervisor announced she called this meeting in accordance with Public Act 267 of 1976 as amended (the Open Meetings Act) being posted at the Bridgewater Township Hall on April 13, 2010 and reposted April 21, 2010. The purpose of the meeting is to discuss the Clinton and Manchester Fire Billings, litigation with Washtenaw County Parks with Attorney Lucas and Internal Controls Over Financials all with Attorney Lucas present.

CITIZEN PARTICIPATION

Laurie Fromhart, Planning Commission Chair put together a list of cases that she feels are similar to our case and have merit to compare to our case.

Response to Citizen Participation-Attorney Lucas feels the Washtenaw County court will not make the Washtenaw County Parks remove the deck. He feels he has negotiated what he feels is the best possible scenario for the Township.

MOTION: Moved by Riley, seconded by Carver to accept the agenda after moving item 2 to 1 and adding a letter from the Clerk on item 4. Passed

1. Washtenaw County Parks Litigation Board discussed possible options of negotiable items to ask ~~from~~ the County for.

MOTION: Moved by Mull, seconded by Faust to have Attorney Lucas re-word document and bring back to the Board. Board would like 8 parking places be returned to 6, and any future improvements in the property must come back to the Township.

Roll call Carver Y, Faust Y, Mull Y, Oliver Y and Riley Y. Passed

2. Clinton and Manchester Fire Billings Oliver presented information from both fire departments to clarify how each of them do their billing. Faust presented a report from Manchester Fire Chief that explained that Earl Carver's November 2009 fire-run bill was based on an illegal burn.

MOTION: Moved by Faust, seconded by Oliver to rescind his motion to approve the appeal from Earl Carver for the \$660 fire charge.

Roll call Carver, abstain; Faust Y, Mull Y, Oliver Y and Riley N. Riley stated that she does not rescind her votes.

Board discussed the possibility of having a fire millage. The Supervisor will come up with an amount for the millage and request it present it to the board for future discussion about putting it on for the November election. Attorney Lucas will prepare ballot language.

Treasurer left at 9:00pm

Supervisor to get projections from Ron Mann to determine an amount to put on the ballot. Ballot Language needs to be presented at Aug 2th meeting to make certification deadline with the County Clerk Aug 24th. **NO VOTE ON THE MOTION**

3. Internal Financial Controls-“Supervisor states the issue in the letter dated March 31, 2010 regarding complaint Comerica Bank, Clinton Michigan will be discussed in the entire scope of issues that led up to it.” Her need to go to the Bank rather than the Treasurer was based on the fact that communication with the clerk had broken down about various township matters including issues with financial statements. She ~~instead went to~~ had discussed the communication breakdown much earlier with Dave Faust and shared other issues with him as they unfolded over time. Once the issues continued to develop into more pressing questions about the financial documents, Mull chose not to ask Riley for copies of township checks; based on the sensitive nature of the topic, Mull perceived this as a topic that could easily lead to an Open Meetings Act violation. ~~believes she would be violating the Open Meetings Act.~~
Supervisor issue of June 4, 2009 Board meeting regarding broken ~~church pew bench from the original township schoolhouse~~ and old tables in the basement. A motion was made at that time and she wants to ~~reconsider~~ change her vote for the record after learning that it is illegal to dispose of township property. There was much discussion.

MOTION: Moved by Oliver, seconded by Faust, that any property that has been given away at this time will never be brought up again, and nothing else can be thrown away without Board Approval Passed

Supervisor discussed the former Architects bill from November 2008 meeting. Attorney Lucas explained just because someone sends you a bill, does not mean you own it or that it is evidence of someone entering into a contract. No one from the Board has the authority to bind the Board. Oliver stated he received a bill from the State and when he called they told him they send them out in the hope someone will pay it. He did not. Auditor issue. Supervisor believes that the Letter of Engagement should have had Board Approval before Treasurer Riley signed it. Riley has previously stated that when it came the first time she contacted the former Treasurer Shelly Pike about it and Pike told her to sign it and return it, that this was the procedure. Clerk would like to see what we’re talking about before any action because we don’t have a copy of what was signed so how can we determine what it is.

Paychex

Based on what the Supervisor has on Paychex it may be incorrect. Supervisor states in her next page that we have a contract with Paychex which is false, we have never had a contract with Paychex and can walk away at any time. Attorney Lucas clarified that a contract need not be in writing.

MOTION: Moved by Oliver, seconded by Faust to ratify the action taken by Treasurer Riley to accept the engagement letter with Robertson, Eaton & Owen as our Township Auditors. Passed

Board discussed the terms “significant deficiencies in internal controls” actually means and it was clearly stated by Meredith Mathews at our audit presentations that they were not a reflection on Pike & Carver in 2007 or Riley & Carver 2008 & 2009, that they are a reflection on not having enough staff to achieve a separation of duties. Clerk stated one has to understand that there is a conflict between State Statues and Audit standards and we do our best to follow “Standard Accounting Procedure” and separate the duties to protect the Township. For example, the statues say the Treasurer writes the checks and

also deposits the money. Auditors do not want to see the same person putting the money in and also taking it out. That's why we have the clerk write the checks. Auditor will clarify in writing. Supervisor wants to ~~re-audit~~ have the auditor run the individual from October 2008-March 2009 through the system because several checks were not represented on the check ledgers that the board was given. Board decided not to spend the money, checks have already been audited. Riley will give Supervisor what she's looking for.

Attorney Lucas recommends to accept and review all contracts with Professional consultants every years. Prior Supervisors have done this at the first meeting of the fiscal year every April; this is another relevant item to include in our Township Procedures Manual.

MOTION: Moved by Faust, seconded by Oliver to authorize the supervisor to meet with the auditor/Gary Owen during or before the upcoming audit. Passed

4. Clerk submitted a letter of resignation-Clerk is not sure when the resignation date starts the 45 days you have to replace You'll need to look into that. Also when the date affects the election. If it is taken from the Resignation being submitted to the Township Board at a Regular or Special Meeting in this case April 22, the new clerk will have to run. But, if it is May 31, the last day of work you will appoint for the remainder of the term. It would be a good thing if they ran.

Lucas will check and get back to the Board next week.

MOTION: Moved by Mull seconded by Oliver to accept resignation of Cynthia J. Carver to as Clerk.

Roll Call .Faust N, Mull Y, Oliver N, Riley Absent.

Board asked Attorney Lucas whether or not we actually needed to vote; Attorney Lucas will get back with us.

Being no further business to come before the Board, moved by Oliver, seconded by Faust to adjourn, Board approved, meeting was adjourned at 11:15 pm.

Cynthia J. Carver

Bridgewater Township Clerk