

Thetford Township  
Minutes of the Regular Meeting  
November 28, 2016  
6:30 p.m.  
4014 E Vienna Road  
Clio, MI 48420

The Pledge of Allegiance was led by the Board of Trustees.

There was a moment of silence in observance of all military past and present.

The meeting was called to order by Supervisor Stevens at 6:30 p.m.

**MEMBERS PRESENT:** Supervisor Stevens, Clerk Pennington, Treasurer Ayotte, Trustee Congdon, Trustee Gunnels, Trustee Stanke, Trustee Piechnik

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Chief Kenny, Senior Director Shannon Kline, Assistant Director Pam McIlmurray

### **Approval of Minutes**

Motion by Trustee Congdon, supported by Treasurer Ayotte to approve the October 24, 2016 Regular Board of Trustee minutes that was handed out with corrections before tonight's meeting. Vote 7-0 Motion Carried

Trustee Piechnik asked if we had a signed agreement with the land owner at 9300 N Center Road on the conditions that is written in the October 24, 2016 minutes. "to approve a temporary permit up to 7 years for 50 drive thru campsites for Motor Homes, 5<sup>th</sup> Wheels and camping trailers for Consumers Energy workers. With the land owner responsible to follow all State, County and Local laws. Land owner also provides sanitary/septic, water well, soil erosion/drainage, electrical, setbacks, snow removal, garbage dumpster, dust control and will not provide playground, pool, swimming, rest rooms, showers and supply store. When commitment is complete the property returns to its previous state of farm field.

Supervisor Stevens ~ I will talk to Attorney Swartwood and see if we need to get something written up and signed.

### **Addition to the Agenda**

Motion Trustee Congdon, supported by Trustee Piechnik to add under New Business (i) Eric Gunnels request for a closed session on a personnel matter and (j) Gary Stevens request a policy on minutes. Vote 7-0 Motion Carried

### **Brief Public Comments**

Public comments began at 6:38 p.m Ended at 6:44 p.m. Three comments were received.

- Would like this board to have a public hearing regarding the workers campground for Consumers Energy, North Morris Estate blight issue is getting unsafe and health issues. Would like to see ordinances be enforced. Would like to see the board get started on the Medical Marijuana Law.
- Wants to understand what she overheard Chief Kenny say about the medical marijuana. Would like an update on Metro Sanitation.

Trustee Gunnels ~ my understanding according to the owner they are moving in December

Supervisor Stevens ~ Chief was saying that we need to start moving on the medical marijuana ordinance that the governor signed to go in to effect in 2017.

- This gentleman was towing a tractor on a trailer and had some issues at the corner of Bray Road and Dodge Road where the tractor fell off the trailer. About 6 people stopped and helped, 2 guys actually picked the tractor up and put it back on the trailer. I just wanted to say there still a lot of good people out here.

**Presentation:** None

**Correspondence:** None

**Supervisor Report**

**Treasurer Report**

- End of October, 2016 book balance is \$130,099.00

**Clerk Report**

- Fund balance as of November 23th \$158,565.00
- November Election ~ 3538 residents voted out of 5383 registered

**Bills for Approval**

Motion by Trustee Congdon, supported by Trustee Piechnik to approve the bills as presented. Roll Call Vote 7-0

**Building Inspector's Report**

Accepted

## **Committee Reports:**

### Police Report

- Switching police report system to a different program
- Residents it's that time of year, thieves are out watching. Secure your belongings and watch out for your neighbors. If you see anything suspicious call 911 it doesn't hurt to have things checked out.
- Car vs Deer accidents are going up.
- Right turn intersection are marked and doesn't mean that you go around. Just had one which could have been a really bad accident for someone passing. Please always keep an eye out.
- Phone scams are on the rise
- Working on code enforcement, last week I sent out 22 tickets on one property. With enforcing ordinances comes with court costs which comes out of my budget.
- Keep an eye out for a white panel van with paint flaking off driving around. It is the description being seen at a couple of BE and has been seen in neighbors driving very slow and stopping at houses.

### Fire ~ given by Trustee Congdon

- Tender 15 is still not back from getting work on the front suspension. Chief Todd flew out there last week to test drive it.

### Roads

- Center Road was opened November 21, 2016.
- Trustee Piechnik would like to get a time frame from grading to chloride.

### Water and Waste

Information Only

## **General Business**

### **A. Unfinished Business**

### **B. New Business**

1. Letter from Attorney Robert Swartwood

Letter letting the board know he was terminating his services as Thetford Township Attorney on December 16, 2016. He has a few projects left to finished prior to his departing, specifically:

1. Draft the contract with the new Assessor.
2. Finish some documents promised to the Police Department.
3. File a claim against Mt Morris Estate pertaining to their bankruptcy.
4. Prepare a packet of legal guidance into to assist the new board members.
5. Assist as always about matters that pop up and to help with any transitional issues.

Motion by Clerk Pennington, supported by Treasurer Ayotte to have Supervisor Stevens start searching for an attorney and bring it back to the next board meeting. Call for Vote. Motion Carried.

## 2. Thetford Township Rules and Regulations

Motion by Treasurer Ayotte, supported Clerk Pennington to accept the Thetford Township Rules and Regulations. Call for Vote. Motion Carried

## 3. Thetford Township 2017 Meeting Dates

Motion by Trustee Congdon, supported by Trustee Stanke to accept the 2017 meeting dates as presented. Call for Vote. Motion Carried

## 4. Thetford Township 2017 Holidays

Information Only

## 5. Appoint to Committee and/or Board

### a. 911

Motion by Treasurer Ayotte, supported by Trustee Congdon to appoint Supervisor Stevens to the 911 Committee. Call for Vote. Motion Carried

### b. Water and Waste

Motion by Trustee Piechnik, supported by Treasurer Ayotte to appoint Supervisor Stevens to Water and Waste. Call for Vote. Motion Carried

### c. Fire Authority

Motion by Supervisor Stevens, supported by Trustee Gunnels to appoint Trustee John Congdon for a two year term on the Fire Authority. Call for Vote. Motion Carried.

Motion by Treasurer Ayotte, supported by Trustee Congdon to appoint Trustee Stan Piechnik for a two year term on the Fire Authority. Call for Vote. Motion Carried.

Motion by Supervisor Stevens, supported by Trustee Piechnik to appoint Supervisor Stevens as the alternate on the Fire Authority. Call for Vote. Motion Carried.

6. Amend 851.000-800.000, Township Liability Insurance

Motion by Treasurer Ayotte, supported by Clerk Pennington to amend 851.000-800.000, Township Liability Insurance for the amount of \$3,300.00. Roll Call Vote 6-0-1, Abstain Trustee Gunnels. Motion Carried

7. Amend 681.400-980.000, Senior Grant Equipment to reimburse General Fund

Motion by Trustee Congdon, supported by Clerk Pennington to amend 291-681.400-980.000, Senior Grant Equipment of \$13,000.00 to reimburse the General Fund on a CDBG, Community Development Block Grant, check that was deposited in wrong fund. Roll Call Vote 7-0. Motion Carried.

8. Tax Reverted Property

Motion by Treasurer Ayotte, supported by Trustee Piechnik not to accept tax reverted property 17.06.200.030, E Willard Road. Call for Vote 6-1, Nay Clerk Pennington. Motion Carried.

Motion by Trustee Piechnik, supported by Supervisor Stevens not to accept tax reverted property 17.18.300.020, 1156 Hurd Road. Call for Vote 7-0. Motion Carried.

Motion by Treasurer Ayotte, supported by Trustee Piechnik not to accept tax reverted property 17.36.100.007, 6241 Scott Road, and this property is on the list to be demolished through the HHF out county grant. Call for Vote 7-0. Motion Carried.

9. Eric Gunnels requested a closed session on a personnel matter

Motion by Clerk Pennington, supported by Trustee Congdon to go into closed session at 7:20 p.m. Call for Vote. Motion Carried.

Trustee Gunnels requested Clerk Pennington to excuse herself. Supervisor Stevens asked Trustee Gunnels is there a reason why Clerk Pennington cannot be in there. Trustee Gunnels explained it was about her. Clerk Pennington withdrew her motion and advised Supervisor Stevens to table this until we have an attorney present. Treasurer Ayotte went to get a copy of The Open Meetings Act, with much discussion Trustee Congdon withdrew his support, therefore, the board did not go into closed session.

10. Gary Stevens requested a policy on minutes

Would like to see a policy that the minutes would have the residents and/or person making a comment name and address in front of their comment.

## Brief Public Comments

Public comments began at 7:45 p.m Ended at 8:00 p.m. Nine comments were received.

- The only reason I am raising this now is because this township has been notified that I am appealing this lawsuit. It matters because it seems to be this invisible barricade that prevents us from settling this case. I would like to know what the barricade is, what is preventing us to settle this case. The appeals goes on, how much more is it going to cost the township. We have already cost the township \$65,000, just had to approve a new figure to cover the cost. So at what point does the elected officials have a say so on the money and how it is spent.

Supervisor Stevens ~ I would like to offer an opinion, I would really like to discuss it with you in my office tomorrow morning or Wednesday morning. In my opinion once it reaches the courts this board is discharged from settling.

There is no point for me to go tomorrow to the settling if you have no intention on settling. If this board has no intention in settling we will go all the way to Supreme Court. How much money do you have?

Clerk Pennington ~ this needs to stop

Supervisor Stevens ~ point of order

Clerk Pennington ~ can I clarify something? That extra \$3,300.00 that he is saying that cost the township more in his lawsuit. That money was to amend that budget line because we didn't budget enough. The money was already spent it is not any additional money

- Minutes have greatly improved, I look at them on reference often
- Congrats to the new board, great turn out for the November Election, whenever they will do road chloride the road foreman will call you Supervisor Stevens, Closed session, Attorneys we have a township attorney, prosecutor attorney and the insurance company would not take the case is why we had to get another one involved because the person was not asking for money, Supervisor Stevens you in the Herald said you were going to have a budget workshop could you please make sure you post it on the web site and facebook I really would like to attend. Thanked the new board again
- Would like to see the board have name plates, would like events made on the facebook to remind the residents that there is a meeting.

Supervisor Stevens ~ we are working on getting the agenda on the web site. So the residents will know ahead of time what's going to happen at the meeting

- Thanked former Supervisor Eileen Kerr for her time that she served Thetford Township
- Congrats to the new board
- Pending court matter usually people involved abstain on decision making that they are involved with.
- There is no greater agony then to bearing untold stories. I cannot express on how much agony I have over this lawsuit. "Error doesn't become a mistake unless you refuse to correct it." That statement cannot be truer, there is an effort here to resolve an issue for three years. I don't know why. If it was you Chair sitting in these position or someone else I would still be here doing the same exact thing I am doing now, appealing this form of our nation's democracy. I am here to get my justice. I feel that has been aborted in a sick and disgusting way. That I have been put out by the people who did this to me. Those people need to be questioned for what they did. I want a further investigation internally to our departments, employees and elected officials. I am fed up with the courts. I am here because I have an unresolved issue. I was hoping that we would get some movement on this matter, there is a lot of decisions that I have to make, have to do with your decision tonight. The fact in the matter I have decided actually your insurance company has decided to settle this case. They want to settle then settle, money damages then let's talk money damages. But if your insurance company is just going to give me the run around like they did last time, in my opinion just a sick joke anyone with an ounce of brains could look at the material I have right in front of me and determine on what happened on February 12, 2014 and as I said in the herald this judge is corrupt or blind or what. I am not cowering down to anyone. I have tried to be nice, I have tried to be professional and I tried to do things properly with the limitations. To be honest with you, looking back I would have done it a whole lot differently. I would have done here on this podium if I knew it would have taken it this long to get where we are right now with no results in sight. There is no end sight in this. And this township is going to spend thousands and thousands dollars to defend a frivolous warrant that has no more merit or authority then a piece of toilet paper in a toilet tank.

Supervisor Stevens ~ at this point you are running way over the 3 minutes, I don't mind if you do my time but the residents didn't come here on this kind of matter. Basically the court has made a decision and we have to abide by it. We don't always like what we here.

You are someone on this board should call the insurance company and get them to settle. You have spent \$65,000 dollars of your money. You cannot settle in that.

Supervisor Stevens ~ I will put that under advisement and there are a lot of opinions that are related to this and not all opinions are always the best. At some point the insurance company comes to us and tells us what needs to be done. At this time it is not any of our decisions you either have to appeal it with the courts or it's gone, it's done. I don't always believe it's the right answer but at some point you have to stop on what's going on and move on.

This is one of those things, I will not take no for an answer. This is one of those things, I will not let it go.

Supervisor Stevens ~ and that's your right, and we need to have our discussion at a different place.

When can we have this discussion?

Supervisor Stevens ~ tomorrow morning, Wednesday morning any morning you can be here.

- Back when you all were running, we talked about wrapping up this Eric thing and everyone agreed. Where you all by each other. Let's get this wrapped up for Eric.

Supervisor Stevens ~ direct your comments to the chair, our job is not to hand money out to anyone who has a law suit. That's why there are courts, attorneys and procedures. I wish we had enormous bank accounts so we could do that but we don't and we won't.

### **Board Member Comments were received**

**Announcement:** None

Meeting adjourned at 8:31 p.m

Leanne Pennington, Clerk  
Thetford Township