

Special Meeting of the Crystal Lake Township Board

1651 Frankfort Highway, Frankfort MI 49635

March 22, 2024

Meeting was called to order by Supervisor Amy Ferris at 10:05 a.m.

Pledge of Allegiance was recited.

Roll Call: Ferris, Northway, and VanMeter were present, constituting a quorum. Nielsen absent. (Treasurer resignation accepted 03.19.24.)

Guests: Deputy Supervisor Jill Marble

Adoption of, or amendment to, Agenda

Ferris reviewed the agenda items and clarified the purpose of the meeting. She also shared that Nielsen had been hospitalized, was home, and hoped to be at the regular Board meeting on April 16, 2024.

Ferris moved to accept the agenda as presented. Northway supported. All ayes. Motion approved.

Conflicts of Interest

There were no Conflict-of-Interest declarations.

Public Comment

There were no public comments.

Old Business

○ **2023-2024 Budget Amendments**

Ferris briefly reviewed the 03.22.24 General Fund Profit and Loss Budget vs. Actual Report noting overages in some of the line-item budget figures. She suggested the addition of \$3,500 to 215-000 Clerk Control, \$3,000 to 228-000 Information Technology, and \$1,000 to 300-000 Public Safety. Ferris clarified that it was necessary to have a balanced budget, so the adjustments were being made.

Ferris continued through the report, and the addition of \$500 to both 000-701 Personnel Services and 000-709 Personnel Services FICA was made. She noted 700-900 TWP Board FICA for Employees line item had \$907.85 spent, but there was no budget figure. Clarification wasn't available, so Ferris suggested a budget figure of \$1,000 be inserted. Discussion.

Ferris recapped the recommended budget amendments:

000-701 Personnel Services (+\$500) from \$6,500 to \$7,000

000-709 Personnel Services FICA (+\$500) from \$500 to \$1,000

215-000 Clerk Control (+\$3,500) from \$40,000 to \$43,500

228-000 Information Technology (+\$3,000) from \$12,500 to \$15,500
300-000 Public Safety Control (+\$1,000) from \$105,756.34 to \$106,756.34
700-900 TWP Board FICA for Employees (+\$1,000) from 0.00 to \$1,000

Ferris made the motion to make the above changes to the budget. VanMeter seconded. After additional discussion, Ferris amended her motion to include the following changes:

000-701 Personnel Services (+\$1,000 instead of +\$500) from \$6,500 to \$7,500
000-709 Personnel Services FICA (+\$1,000 instead of +\$500) from \$500 to \$1,500
215-000 Clerk Control (+\$4,500 instead of +\$3,500) from \$40,000 to \$44,500

Ferris made the motion to accept the 2023-2024 budget amendments as follows: 000-701 Personnel Services (+\$1,000) from \$6,500 to \$7,500; 000-709 Personnel Services FICA (+\$1,000) from \$500 to \$1,500; 215-000 Clerk Control (+\$4,500) from \$40,000 to \$44,500; 228-000 Information Technology (+\$3,000) from \$12,500 to \$15,500; 300-000 Public Safety Control (+\$1,000) from \$105,756.34 to \$106,756.34; and 700-900 TWP Board FICA for Employees (+\$1,000) from 0.00 to \$1,000. VanMeter seconded. Roll call: Northway, yes; Ferris, yes; VanMeter, yes. All ayes. Motion approved.

Northway asked if there was an easy auditing feature to QuickBooks, so that all transactions were documented. He was assured, because of checks and balances in place, that there could be no room for error. VanMeter noted the annual audit will be June 5 and 6, 2024.

Ferris reviewed the 03.22.24 Cemetery Fund Profit and Loss Budget vs. Actual Report noting an overage in 700-851 Mail and Postage. She suggested the addition of \$5.00 to the budget figure.

Ferris made the motion to amend the budgeted amount for Cemetery Fund line item 700-851 Mail and Postage from \$50.00 to \$55.00. VanMeter seconded. Roll call: VanMeter, yes; Ferris, yes; Northway, yes. All ayes. Motion approved.

○ Cemetery Administrator Position

Ferris noted the cemetery administrator position was to be voted on at the 03.19.24 regular Board meeting, but Zoning Administrator Kucera said Ferris would have to abstain because of personal financial interest. The item was tabled until today. Ferris found she could vote on the issue and asked Northway to read the documentation from *Authorities & Responsibilities of Michigan Townships* by Catherine A. Mullhaupt of the MTA, page 121.

“A township Board member is not prohibited from voting to assign him or herself additional duties or to establish the compensation for the additional duties. (*Burton Township v. Speck*, 1 Mich. App. 339, 1965)

But a board member seeking additional duties may want to evaluate the appropriateness of voting on the question. Note that in a charter township, a board member may abstain only if the other members present unanimously vote to allow him or her to abstain.” (MCL 42.7)

Ferris asked Northway if he was willing to agree to pay her \$14,000/year as Cemetery Administrator, and he stated he would. She asked if he would like to make the motion, which he did. Ferris seconded the motion.

Discussion. Ferris wanted to reach a compromise, since VanMeter had voiced concerns. VanMeter again noted she was not comfortable issuing the proposed \$14,000/year salary with no documented numbers of time spent to support any monetary figure. She noted the job description was lengthy but still wanted the salary justified. As an example, Northway suggested \$20/hour for itemized services vs. salaried amount. Ferris stated it was hard to itemize time spent on individual services such as burials, foundations, etc. She offered a scenario including estimated transactions and time spent multiplied by \$20/hour. The result was \$28,000. Ferris settled on \$14,000 salary with a one-year contract including a two-week quit clause by either party. VanMeter asked Ferris to document time spent on each transaction within the next year, so the Board would have a basis for accurately figuring the Cemetery Administrator's salary in the future.

Northway made the motion to approve the hire of Amy Ferris as the CLT Cemetery Administrator for CLT cemeteries East and North, with a one-year contract, two-week quit clause, and quantification of time spent on each transaction during the year-long period. Ferris seconded. Roll call: Northway, yes; Ferris, yes; VanMeter, yes. All ayes. Motion approved.

○ **Removal of former treasurer from accounts**

Lengthy discussion on how best to proceed with the removal of former Treasurer Popp from the financial accounts. It was noted the resolution passed at the 03.19.24 regular Board meeting included Popp's removal from all CLT bank and depository accounts, but it did not include removal of former Deputy Treasurer Maryanne Goodman. Ferris suggested the resolution be redone. VanMeter will check with West Shore Bank to find out what the resolution passed covers. Ferris stated the resolution fell short because it didn't include the MI Class investment accounts.

Marble noted VanMeter could ask questions of Popp regarding the MI Class investments, since Popp had been willing to help. Ferris noted we're not just protecting CLT but also Popp as well, and she said the Board should appoint a new treasurer immediately. VanMeter said more information, whether from the bank, Popp, or the CLT attorney, should be obtained before we make a move, or something may be overlooked. Ferris wanted to pass a resolution authorizing VanMeter to remove Popp off of everything, but VanMeter said we should have someone ready to replace her before the removal process was completed. Ferris said we could call Attorney Homier and MI Class and ask how best to proceed. Marble offered to assist VanMeter with calls.

VanMeter moved to authorize the CLT Clerk to proceed with removal of Popp and Goodman from all financial and investment accounts, etc. Popp's name and passwords will be removed from wherever it appears, for both Township and former employee protection. Ferris seconded. Roll call: Northway, yes; Ferris, yes; VanMeter, yes. All ayes. Motion approved.

There was discussion of the appointment of a temporary, authorized signer for the West Shore Bank accounts. Ferris thought it should be the supervisor but didn't anticipate the need for her signature anytime soon. She asked if the resolution used to appoint Northway as authorized signer in October 2022 could be revised.

- **Procedures and Priorities Moving Forward**

Ferris hoped, on or before the regular Board meeting on April 16, 2024, the treasurer position would be filled. A special meeting may have to be scheduled by consensus to interview applicants.

VanMeter noted the password and security to the treasurer.clt@gmail.com account had been changed and, temporarily, the backup email was clerk.clt@gmail.com, and the Clerk's cell phone number was put in place for backup as well. She said the account should not be closed as business-related emails were still arriving.

Ferris asked about payroll and noted BOR Member Elaine Walton was familiar with QuickBooks including the payroll process as she uses it for the CSA. Others in the community offered assistance as well. Marble volunteered to ask Elaine about doing CLT payroll. Ferris stated there was a man in Traverse City who owns a business and does payroll for several entities including Stormcloud Brewing Company. She noted he might be a good choice because he assumed all error liability.

Ferris said she will be asking the Board members what they think were priorities for the Board moving forward. VanMeter said elections. Ferris stated blight ordinance and the new RV Park.

Ferris also stated the possibility the whole Board may be composed of different people after the election. Some members may not run, or may lose in the election. Changes were coming. VanMeter and Northway were not planning to run for office.

VanMeter asked for clarification on where we stand with review of the ordinances, hoping the new attorney would be adding enforcement language. Ferris said the new law firm does have our ordinances, but they were probably overwhelmed. She will write the attorney and ask if the ordinances could be tackled now. Ferris will ask attorney to produce his best blight ordinance and make it strong and not vague. Discussion followed concerning blighted areas in the Township. Ferris hoped to have a blight ordinance template by the April 16, 2024 Board meeting.

Public Comment

Marble stated this had been a lesson for all of us. CLT needs to have a simple, organized checklist or procedural guidelines for how to proceed when any Township position becomes vacant. She noted Eclipse Communications has very comprehensive procedures. Brian Halliday has experience with exit procedures, and she has some experience. VanMeter agreed, so the process wouldn't be rushed and mistakes made. Proper protocol should be followed. Marble said one person could have the checklist and one person could be the contact person who would communicate with the rest of the Board and staff as the steps were completed.

Ferris shared that Popp pressed charges against Ferris for obstructing and hampering her from performing her statutory duties as Treasurer by denying her access to the building and computers following Popp's email resignation. Discussion followed regarding when a resignation was official. MTA's interpretation of the statute was a resignation included a signature and wasn't official until formally accepted by the Board at a meeting. Attorney Homier told Ferris the resignation didn't even have to be in writing, but the email resignation was acceptable.

Marble noted the state trooper involved was going to email Ferris, so documentation that proved access had been restored to Popp could be sent to him. Ferris will follow up with the trooper because she never heard from him. Marble also shared that access was removed prematurely but not vindictively.

Board Comment

There was no Board comment.

Meeting adjourned at 11:29 a.m.

Judy VanMeter, Clerk, reporting.

Amy Ferris, Supervisor _____
Date

Judy VanMeter, Clerk _____
Date