



1401 W. Herbison Road, DeWitt, MI 48820
May 10, 2021 Board of Trustees Meeting Minutes

The Regular Meeting of the DeWitt Charter Township Board of Trustees was called to order by Supervisor Galardi at 7:00 PM. Colton Schott led the attendees in reciting the Pledge of Allegiance.

MEMBERS PRESENT Supervisor Rick Galardi (DeWitt Twp, MI-I), Clerk Adam Cramton (DeWitt Twp, MI-I),
Location Treasurer Sandy Stump (DeWitt Twp, MI-I), and Trustees David Seeger (DeWitt Twp,
I=In-Person MI-I), Brian Ross (DeWitt Twp, MI-C), David Fedewa (DeWitt Twp, MI-I), and Steven
C=Call-In Smith (DeWitt Twp, MI-I).

MEMBERS ABSENT None.

ALSO PRESENT Fire Chief Dave DeKorte-I, Police Chief Mike Gute-I, and Manager Andrew Dymczyk-I.
I=In-Person
C=Call-In

AGENDA Fedewa moved, Smith seconded, to approve the Agenda.

AYES: Seeger, Ross, Fedewa, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

CONSENT AGENDA Seeger moved, Galardi seconded, to approve the Consent Agenda, which included the following: Board of Trustees Regular Meeting Draft Minutes, April 26, 2021; and General Vouchers 72847-72900.

AYES: Seeger, Ross, Fedewa, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

PUBLIC COMMENT None.

PUBLIC HEARING None.

PRESENTATION

2020 Firefighter of the Year – Steven Schott Fire Chief Dave DeKorte honored the 2020 Firefighter of the Year, Steven Schott.

COUNTY COMMISSIONER REPORT None.

CORRESPONDENCE Correspondence included the following: Clinton County Board of Commissioners Declaration for a Local “State of Emergency”; DeWitt Township Police Department March 2021 Activity Report; and Consumers Energy Notice of Hearing.

UNFINISHED BUSINESS None.

NEW BUSINESS

SCCMUA 2020 Fund Balance The Southern Clinton County Municipal Utilities Authority (SCCMUA) has notified the Township that there is \$96,184 in unreserved retained earnings. This number was determined after the SCCMUA audit was performed. The monies represent excess funds remaining in the SCCMUA fund balance. Every year the Township is asked how to apply the excess funds. The Township has the following three options:

1. The money can be left at SCCMUA and applied to Township reserves for future projects.
2. Reduce the Township's monthly SCCMUA payments.
3. Request that the money be returned to the Township's sanitary sewer enterprise fund.

The Township has recently identified spot liner needs within the sewer system as a part of the 2021 sewer maintenance program at a cost of \$37,781. To pay for this, Manager Dymczyk requests that the Township utilize \$37,781 of the unreserved retained earnings. Manager Dymczyk also recommends the remaining balance (\$58,403) of the unreserved retained earnings be held in the Township's SCCMUA Reserve Account.

Ross moved, Smith seconded, to authorize the Township Manager to advise SCCMUA that \$37,781 of the Township's 2020 fund balance be utilized to cover the Township's 2021 sewer maintenance program and the remaining \$58,403 of the unreserved retained earnings be held at the Township's SCCMUA Reserve Account.

AYES: Seeger, Ross, Fedewa, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

Board Workshop – Legacy Debt and Pension

The Manager's Office is currently working with representatives of both union units to finalize the employment contracts and continue to develop a greater understanding of what the fiscal impact that COVID-19 has had on the 2020 and 2021 budgets. At this time, Manager Dymczyk recommends a Board Workshop to discuss possibilities in addressing legacy debt, and the pension cost share incurred by the police units.

Trustee Smith inquired if the union representatives would be invited to attend the workshop. Supervisor Galardi responded that they would be free to attend as the workshop will be a public meeting of the Board.

Trustee Smith asked if a representative from MERS would be available to attend the meeting. Manager Dymczyk stated that MERS would be free to attend and that he was going to meet with MERS prior to the workshop to have options to present to the Board.

Galardi moved, Cramton seconded, to set a Board of Trustees Workshop on May 17th at 7:00 PM for the purposes of discussing legacy debt and pension funding.

AYES: Seeger, Ross, Fedewa, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

Personnel Committee
Appointments

In December of 2020, Department Head employment agreements were brought before the Board for extensions. Stated in these contracts, employees may appeal a decision of termination to a committee of the Township Board within fourteen (14) days of the date of the Manager's decision. At this meeting the Board discussed the importance of having the personnel decisions rest with the Personnel Director. This established standing Personnel Committee would be the appellate body, if needed.

Trustee Fedewa feels that the Manager's Office is capable of handling the majority of personnel issues that arise in the Township. Further, he feels strongly that any decision on the hiring or termination of a contract employee should be done by the entire Board. Trustee Fedewa questions if a sub-committee of the Board should have the responsibility to act on contract personnel issues.

Supervisor Galardi noted that he originally requested a personnel committee of the entire Board and did not receive support.

Trustee Smith feels that the decision for a non-renewal or termination of a contract employee should come from the Board as a whole. He is concerned that a decision of a sub-set of Board might not represent the opinions of the entire Board.

Treasurer Stump pointed out that the Township is bound by employer law and employee rights, and the Township labor attorney would be a good resource.

Clerk Cramton sees similarities between a contract termination appeal and a stepped grievance process.

Manager Dymczyk highlighted that the intent is to match policy with the contract language and the intent is to set a sub-committee to hear appeals for termination per the language of the existing contracts.

Trustee Fedewa questioned if termination is synonymous with non-renewal. Supervisor Galardi's opinion is that they are not synonymous.

Treasurer Stump expressed concern about the discussion of personnel information in a public meeting.

Trustee Fedewa questions why the Board as a whole would interview incoming contract candidates, but would choose not to be involved as a whole body for a termination review.

Trustee Ross recalls that the Township Labor Attorney interpreted a non-renewal as being equivalent to termination. The Board still has the responsibility of voting on a non-renewal or termination recommendation from the Manager or a sub-committee of the Board.

Clerk Cramton agreed with Trustee Ross' comments, and feels that the final decision lies with the Board irrespective of where the recommendation originates.

Trustee Smith questioned is Supervisor Galardi should sit on the personnel committee due to the nature of the working relationship between the Manager's Office and the Supervisor.

Trustee Ross attempted to define termination rules that would allow the Manager to immediately terminate a contract employee without Board review.

Supervisor Galardi made it clear that this ongoing debate is not about any one Township employee and is only about clarifying contract language.

Manager Dymczyk highlighted that the contracts do differentiate between termination and non-renewal.

Trustee Fedewa reiterated that he is uncomfortable allowing a sub-committee of the Board to act on behalf of the Board for a non-renewal of a contract.

Manager Dymczyk feels that termination and non-renewal are separate considerations.

Treasurer Stump pointed out that the contracts define the for-cause activities that could result in termination.

Clerk Cramton read out loud the termination section of a current contract that outlines the for-cause reasons, that the termination decision comes from the Manager, and that the employee has the right to appeal the decision to a sub-committee of the Board. He feels that the sub-committee should then make a recommendation to the Board.

Trustee Smith concurred that he feels the final say should be a seven-member decision.

Supervisor Galardi questioned if the same would hold true for unsatisfactory performance.

Manager Dymczyk responded that the contracts outline a 90-day notice for unsatisfactory performance.

Treasurer Stump feels that the Board might not be ready to decide on this item tonight. She feels that more time, and possibly legal consult, would be beneficial.

Clerk Cramton highlighted that there are scenarios where the Township cannot make its case for termination due to employer law and the discussion of personnel issues in a public forum. He feels that this is the situation where the Township labor attorney would be able to offer some guidance.

Trustee Fedewa summarized that he would be comfortable with a motion that included that the sub-committee would be a recommending committee to the Board as a whole.

Trustee Smith sees the ability for a contract employee to appeal a termination to the entire Board in a public setting as a good thing.

Trustee Seeger requests a clarification on the language of the motion and to be sure that the Board is only talking about termination and not non-renewal.

Trustee Fedewa requests that this item be postponed for tonight.

Seeger moved, Galardi seconded, to postpone action on the Personnel Committee Appointments until the May 24th Board of Trustees meeting.

AYES: Seeger, Ross, Fedewa, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

Audio and Video Boardroom Update

In March of 2021 the Manager’s Office began the process of soliciting vendors to update the technology in the boardroom and adjacent conference room. This upgrade was included in the 2021 Budget at an estimated cost of \$15,000. Solicitation and receipt of bids was delayed due to pandemic-related restrictions and the global microchip shortage.

The Township received bids from two vendors. Vendors were encouraged to bid with product options. Vendor bids are as follows:

<u>Vendor</u>	<u>Total</u>
Town & Country Technologies	\$14, 860 – \$30,790
Buist Audio Visual	\$11,657 – \$46,683
Sound Solutions Audio & Video	No Bid
Third Coast Tech	No Bid

Clerk Cramton, Treasurer Stump, and Manager Dymczyk reviewed the bids and believe Town & Country Technologies, Option 1, has emerged as the best fit and value for the Township. Manager Dymczyk recommends authorization to execute an agreement with Town & Country Technologies in an amount not to exceed the bid price of \$30,790 plus a 10% contingency of \$3,079 totaling \$33,869 for the purpose of updating the audio and video technology in the boardroom and adjacent conference room at the Township Hall.

Ross moved, Stump seconded, the following action:

1. Authorize the Manager to execute an agreement with Town & Country Technologies in an amount not to exceed \$33,869 including a 10% contingency for the purpose of updating the audio and video technology in the boardroom and adjacent conference room at the Township Hall.

2. The Board approve the following budget adjustment to the 2021 Budget:

\$18,869	To: 101-265-977-001 Township Hall – Cap. Exp.	From: 101-000-390-000 General Fund Balance
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AYES: Seeger, Ross, Fedewa, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

National Night Out

Last year, the Township was approached by a very motivated group of residents who would requested to host National Night Out in the Township. Due to the pandemic and

associated public health concerns, the Township ultimately decided to cancel last year's event. This resident group would, again, like to move forward with National Night Out in 2021.

National Night Out is an annual community building campaign that promotes police-community partnerships and neighborhood camaraderie to make our neighborhoods into safer, more caring places to live. Nationally, this event is held on the first Tuesday in August.

The group is looking to host an event on October 9, 2021 from 4PM to 8PM utilizing the collective space between Township Hall and Fire Station 2. Estimated Township costs would include staff time, additional restrooms, and possible event shelter. As the planning process progresses, a more formalized estimation of Township costs will be brought back before the Board. If approved, the resident group will be looking for business community support and participation, which would potentially offset any monetary Township contribution.

Manager Dymczyk recommends Township participation in a National Night Out event, building partnerships between public safety departments and the community, on October 9, 2021 from 4PM to 8PM held at Township Hall parking lot.

Seeger moved, Smith seconded, to approve Township participation in a National Night Out event, building partnerships between public safety departments and the community, on October 9, 2021 from 4PM to 8PM held at Township Hall parking lot with formalized Township costs to be brought back before the Board.

AYES: Seeger, Ross, Fedewa, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

EXTENDED PUBLIC, STAFF, & BOARD COMMENTS Fire Chief Dave DeKorte presented that the mass casualty training event scheduled for tomorrow at the airport has been cancelled by the FAA. There will still be a fire exercise. Three firefighters are currently in training academy and will graduate soon. The oil and water separator in Fire Station 2 is being replaced currently. A Fire Department / Police Department board reporting policy will be available soon from the Public Safety Committee.

Police Chief Mike Gute informed the Board that the second round of new officer interviews have been completed, and background checks are underway. New car #5 should be in service this week.

Manager Dymczyk provided updates on the following:

- National Night Out
- MERS negotiation
- Police Interviews
- Intergovernmental Building Services Meeting
- American Rescue Plan (ARP) guidance

Trustee Smith was complimentary of Firefighter of the Year, Steven Schott.

Treasurer Stump informed the Board that the DeWitt Branch of Huntington Bank is closing. Huntington will maintain our Township accounts, but she will be looking for another cash depository.

Clerk Cramton presented that DeWitt Area Recreation Authority is continuing to add programs as COVID restrictions continue to be lifted.

ADJOURNMENT **Seeger moved, Ross seconded, to adjourn at 8:58 PM.**

Motion voted and carried.

Respectfully submitted,

Adam Cramton, Clerk

Rick Galardi, Supervisor