

**Village of Fife Lake
Regular Council Meeting Minutes
December 1, 2014**

Meeting called to order at 7:00 p.m. by President Leedy.

ROLL CALL:

Present: Deike, Fisk, Hayes, Leedy, McGough, Roesemeier, Tummel

Absent:

Others: Caverson, Clerk; Jasper, Treasurer; Miller, DPW

APPROVAL OF AGENDA:

Motion by Roesemeier supported by Fisk to approve agenda dated December 1, 2014 as revised by president.

MOTION CARRIED.

PLEDGE TO FLAG.

SWEAR IN NEW COUNCIL MEMBERS AND VILLAGE TREASURER:

Clerk Caverson administered oaths of office to Jane Roesemeier, 4 year term trustee, Tawni Deike, 4 year term trustee, William Fisk, 4 year term trustee, Donald (Ross) Tummel, 2 year term trustee, and Vicky Jasper, 2 year term treasurer. Leedy stated she was sworn in at the county.

CONSENT AGENDA ITEMS:

Hayes and Jasper explained the financial reports and differences in the budget due to Forest Area Services LLC not having the information where certain amounts were to be posted. Breakdown is needed for expenses for 4th Street and Pierce Street. July transfers approved in August were not correct. Corrected transfers for July provided. August, September, October and November transfers provided.

Fisk asked how the transfers will be handled moving forward. Hayes stated beginning next month the council will have what the transfers are going to be each month. There are no written instructions yet. Fisk thought that would be part of what would be done. Deike stated the budget looks very different from what she is used to seeing. Assuming the numerical values in front of each line is a coding process. Jasper affirmed. Planning Commission wages not paid yet. Leedy stated she got the minutes for the Planning Commission. Leedy stated they were paid without the minutes last year. Motion by Deike supported by Roesemeier to approve the Consent Agenda Items as presented.

ROLL CALL VOTE: Deike, Y; Fisk, Y; Hayes, Y; McGough, Y; Roesemeier, Y; Tummel, Y; Leedy, Y.

MOTION CARRIED.

UPDATE ON BOOKKEEPING SERVICES:

Forest Area Services, LLC submitted their invoice in the amount of \$500, detailed time sheet and letter and they are part of these minutes. Leedy stated the bill was not included in the bills to be approved and therefore requires separate approval. Caverson stated it was approved last month,

Leedy stated that per the invoice and the letter, the first month billing is \$500 and moving forward would be \$600-\$800 plus the payroll. Hayes said the original bill should have been almost \$1,300 based on the hours it took to do all the work per the itemized time sheet. However, because council only approved \$500 that is what was billed. Deike asked what the difference in the payroll prices are. Jasper explained the additional payroll checks that are required from time to time, i.e. council payroll, planning commission payroll, etc. Hayes explained it is all documented on the time sheet. Payroll charges are based on the number of checks. Further explanation given to Deike by Hayes and Caverson.

Hayes explained the time estimated, per Forest Area Services LLC letter, for accounting services will be between 8 and 10 hours per month at \$75 per hour.

Roesemeier asked if the reports are accurate at this point. Caverson stated it is not at 100% as there is still information missing and will be tracked down. Missing information included in the "suspense" account are the breakdown between Pierce Street and 4th Street and Mark's Tree Service. Caverson stated there are still a few minor things that are being looked for.

Roesemeier asked what the "suspense" account is. Caverson explained it is the account used when it is unknown where the expense or income belongs.

Leedy stated the \$9,000 from millage money should have been in the right account because she said that was sorted out when Sandra was still at the village. Hayes said she didn't know if it was local streets or major streets. Leedy stated Sandra asked her and she gave her the information and it should be in local streets. Jasper asked if there is any paperwork on that in order to backup the amount. Leedy said she'll go back and look. Leedy also stated when the \$35,000, came her and Sandra also talked about that. Roesemeier asked how we are with the state and federal government payments as there were some errors in the wages. Hayes stated there is still a possible penalty coming. Jasper stated the wages were all corrected at the quarter end.

Leedy asked Caverson where the \$35,000 is on the reports, doesn't see an income account for wages. Jasper stated it was split between all the entities. Leedy said it should show up in income first. Leedy stated it is in contributions-local units (DDA & road mileage). Hayes stated it is in there but does not balance to page 3 where \$150,919 should be \$189,121. Paperwork needed to back up where the amounts are actually to be posted.

Leedy stated she needs time to sit down with all involved as it looks like it is in the right spot on the income line. Hayes stated it is correct on the income line, it is the expense line that needs to be corrected.

Further council discussion.

Leedy stated there appears to be more work that needs to be done internally before it is sent back out to pay someone to do this. Thinks finance committee needs to sit down and get to the bottom of discrepancies. \$35,000 shows up in the income and shows up in the expenses.

Motion by Roesemeier supported by Fisk to pay \$500 to Forest Area Services LLC.

ROLL CALL VOTE: Deike, Y; Fisk, Y; Hayes, Y; McGough, Y; Roesemeier, Y; Tummel, Y; Leedy, Y.

MOTION CARRIED.

Leedy stated the bookkeeping needs to be addressed for the next month based on the estimate of \$600-\$800.

Roesemeier said the council had talked about giving it a couple month trial and would suggest we continue to with that hoping the cost won't be as steep. She realizes a lot was written off by Forest Area Services, LLC. and hopes the phone calls can be minimized. Leedy stated that is why the finance committee needs to meet first before paying anyone to do more work as she feels some of the issues could have been answered or gone through a little quicker.

Deike asked if payroll could be done without accounting while waiting for the finance committee to get together.

Motion by Deike to continue for the next month with Forest Area Services LLC for payroll only and hold off on the accounting piece until next month after the finance committee meets.

Jasper asked if all the check writing and bills and transfers are being turned over to her and Marilyn again.

Deike is asking if that is do-able. Jasper stated there is a lot missing as they weren't given the information. Breakdowns are needed and paperwork has not been provided. All the grant paperwork is needed so it can be determined where it needs to be posted. Deike agrees but that the information needs to be gathered before it goes to an accountant.

Fisk supported Deike's motion. Leedy stated the documentation that Jasper is looking for was provided as far as where to put the grant money and also called Ryan (auditor) to verify where to put it. Jasper has not seen it. Leedy stated the money came in over the period of last winter when Sandra was still at the village. When the first grant came in the first call Leedy made was to Ryan and passed that information on to Sandra.

When the subsequent monies came in that's where it went. Leedy asked what documentation Jasper is looking for, is it a letter from Leedy? Jasper answered the actual documents are what is needed due to specifics of where money can be spent. Some of the money spent on Pierce Street may not have been marked that way. Leedy stated there is a whole book on Pierce Street in the vault. Tribal grant has a file for the LED project. The mileage money didn't come with any letter or grant. Money from state for RRI funding came without any further explanation, just to use it for the road maintenance. Files should all be there. Vicky asked Leedy to let her know in the future so she knows where to look for it. Leedy said we need to get the procedures down because a lot of that was done back in March or whenever and thought it was done, and now we're paying the same person as a contractor to do it again. Doesn't feel it's fair to the citizens because that information was provided.

McGough asked if this is going to put us another month behind. Can't afford another month, year end coming up. The longer we wait the worse it gets.

Leedy stated the fiscal year ends February 28th and it should take December to get it together and lay out a plan and get it in writing so there are some guidelines. Someone is looking to someone to write a procedure, and who is going to do that?

Fisk said this (procedure) was first talked about when discussing the accounting so that going forward it is known how to perform the transfers, etc., so that we're not back at this 6 months from now.

Tummel thinks we can do both and is in agreement with McGough that going further and further behind on bills is going to cost more on fees and fines.

McGough said it's easier to get the answers from the people who are here.

Tummel said council should have Forest Area Services LLC continue for one more month while the committee gets together and figures something out. There is no sense in falling further and further behind.

Hayes stated nothing will be given to Forest Area Services LLC to do until they receive the bills to be paid, etc. So if nothing is given to them there will be no accounting that can be billed.

Leedy asked if almost everything is straightened out why is more money, \$600-\$800 needed to straighten it out.

Hayes said because the bill was actually \$1,300. And Fisk said council had capped the expense at \$500.

ROLL CALL VOTE: Deike, Y; Fisk, Y; Hayes, Y; McGough, Y; Roesemeier, Y; Tummel, N; Leedy, Y.

MOTION CARRIED.

Hayes asked if just a dollar figure is going to be set for the accounting portion.

Roesemeier states she would like to have the finance committee meet for a couple of hours and pull the records out that need to be pulled, point out where the records are kept. Have the paperwork associated with it validated.

Leedy said if most of the stuff is cleaned up and it just needs some explanation, no one has asked her anything during this process except to show them how to log in or to see what Leedy can see on passwords. Leedy knows that for another organization Forest Area Services LLC. does accounting, Fife Lake Area Utility Authority, it seems to be significantly less, \$200/month, and \$600-\$800 seems high to Leedy. Caverson did say the Utility Authority bills are usually around \$1,200/month. Again, Leedy noted it seemed high to her. Caverson stated that the Utility Authority is also charged \$75/hour.

Deike asked if anyone at the council has a good idea of what is still needed. Deike is still unclear of what is needed. Does anyone have an understanding of that or is that information needed from Forest Area Services, LLC. Roesemeier stated Forest Area Services LLC does not have that information, it is in the office. Deike asked what questions still need to be cleared up.

Leedy stated there are 2 items, the suspense account and then road project breakdown. Roesemeier also stated the \$6,000 from the state needs information. Hayes said the state has to be contacted to find out where that money came from. Leedy said the finance committee can do that. As far as the rest goes that puts everything in check. \$600-\$800 to write approximately 15 checks?

Hayes said also to do the transfers, and transfers to do with payroll. Leedy said the transfers are all caught up now so we should only have the current month transfers. Hayes agreed.

Leedy said we have about 15 checks, the current month transfers and then updating the budget, which the finance committee can do, as she sees things she would like to verify. Caverson stated it isn't just the writing of the checks, there are many allocations that have to be made. Checks are written out of the general fund and then distributed to the different accounts, as are payroll taxes. Leedy stated that payroll preparation has already been approved. Hayes stated that payroll preparation is only writing the checks and not distributing the checks in QuickBooks. Leedy stated that all the numbers are there and it should just be a matter of data entry of the numbers and then creating the transfer. Looking at the time Corey logs in and out it doesn't take that long to do that, a matter of minutes.

Hayes stated it's a matter of minutes to get it into QuickBooks but it's getting it prepared to put into QuickBooks through journal entries that takes time. Leedy is still looking at a lot of one minute and two minute transactions. There are two employees that are effected by major and local streets, that is maybe a half hour associated with those employees of getting all the transfers done. The rest of it is straight forward other than straightening out the grant and the road project, it's basically just coding checks, entering them and printing the checks. Caverson said it's not the printing of the checks that takes the time. Hayes said after doing the payroll on 11/13 it needed to be entered into QuickBooks and the retirement calculations had to be done.

Leedy printed the log of the entries that Forest Area Services LLC did and can see every entry from minute to minute when Forest Area Services LLC jumped from one transaction to the next and every transaction is a minute or two process. Caverson stated that is due to all the journal entries already having been written and therefore, to key them in does not take much time.

Roesemeier asked if the finance committee can meet in the next few days. Leedy said sure although Jasper has meetings every night this week. Roesemeier suggested meeting after tonight's meeting although Leedy said she couldn't until 11:59 pm as she still has one more thing to submit to the state by 11:59 pm tonight.

As Jasper doesn't work on Fridays Leedy suggested getting together then.

Deike asked if the worst case scenario to do the accounting is \$800. Caverson said \$600-\$800. Deike also said that additionally we need to update the road, suspense account and what is the ballpark for that cost. Caverson has not seen the paperwork, the hourly charge is \$75/hour.

Tummel said the \$600-\$800 doesn't even catch everything up. Hayes said we are close. McGough asked if H&R Block has an hourly rate. Caverson stated she doesn't know. McGough said he likes the way the bill was itemized and a lot of the stuff that is expensive has been for the last 3 or 4 months straightening things up. He likes seeing the reports again. If there are questions there are people here who can answer them. Roesemeier would like to give the power to the finance committee to be able to, once the information is in place pass it on to Forest Area Services LLC. for this month. Hayes said they can't do anything until they are given something to do.

Leedy would like to add the suggestion to come back to the January meeting with a recommendation for a long term solution.

Deike asked Roesemeier if that was a motion. Roesemeier said yes and McGough supported.

Fisk asked for clarification of what the motion is.

Roesemeier said to give the finance committee the power to make the recommendation to gather the information and make the recommendation to continue with Forest Area Services LLC for the remainder.

Caverson asked Roesemeier if the finance committee makes the decision or if they bring it back to council.

Roesemeier said they would make the decision as that is another whole month and there is no reason why by Friday this can't be resolved.

Deike said she understands them to make a decision after everything has been tallied and categorized and ready with that information to take to Forest Area Services LLC.

Hayes asked if there is still a "not to exceed" figure. Caverson said nothing but payroll will be done. Hayes stated that means the accounting would still be behind if something isn't done.

Deike is understanding Jane is giving the finance committee the authority to decide when the work goes to Forest Area Services LLC and what the contingency is of doing that work. If the finance committee feels there needs to be a top amount then the finance committee presents that top amount to Forest Area Services LLC. Roesemeier is in agreement with Deike and is quite certain it will not exceed what the recommendation is from Forest Area Services LLC, which is between \$600-\$800. Fisk stated it is a dangerous precedent to give a committee that kind of thing without at least putting in an upper limit.

Roesemeier said not to exceed \$600-\$800. Leedy asked to pick one of those numbers. Roesemeier said \$800.

Deike asked for clarification that after the \$800 everything will be current and up to date. Hayes stated that is the goal.

ROLL CALL VOTE: Deike, Y; Fisk, Y; Hayes, Y; McGough, Y; Roesemeier, Y; Tummel, N (doesn't think the finance committee should have that power); Leedy, Y.

MOTION CARRIED.

MINUTES – November 10, 2014 Regular Meeting Minutes:

Leedy included some corrections to the minutes in the packets.

Motion by Roesemeier supported by Tummel to approve November 10, 2014 minutes, as corrected by the president.

Hayes and McGough opposed.

MOTION CARRIED.

POLICE/PUBLIC SAFETY REPORT:

No report submitted. Deike asked to have the report to be emailed to her.

Hayes noted the council has not yet approved the minutes from the October meeting.

Motion by Hayes to approve October 6, 2014 minutes with just spelling corrections.

McGough supported.

Leedy listened to the tape and came up with the corrections based on the actual happenings of that meeting. Leedy took notes during the meeting which is where the corrections came from.

Roesemeier asked Hayes what she did not like about the corrections.

Hayes stated based on what is required for the meetings, that much detail is not needed. Leedy stated some of the minutes were completely inaccurate so when a motion is recorded improperly or a public comment is recorded improperly it has to be corrected. Everyone is welcome to listen to the tape. No-one mentioned any corrections at the last meeting.

Deike stated at the bottom of page 2 there is a statement that approved Deike to talk to the attorneys she feels is important. If a bill comes later saying phone call from Deike the minutes show she had the authority to do that.

Roesemeier stated that is why a new recording device was purchased.

Deike also stated there were several motions she made or supported that have some more specific information, a dollar figure, where the original minutes did not have a dollar figure. Deike feels it's important if a dollar figure was approved that it be in the minutes.

Hayes rescinded her motion. McGough rescinds his support.

Motion by Fisk supported by Roesemeier to approve the October 6, 2014 as corrected by the president.

MOTION CARRIED.

GUESTS:

Charlie Renny not present due to attending budget hearing at the county. Letter from sheriff's office included in packet regarding tight budgets and they are looking to possibly increase participation from the township.

Linda Forwerck, 116 Front Street, present relating to property she owns at 108 Front Street. Presented council with a packet of information, specifically requesting one copy ends up with the clerk for village records.

Mrs. Forwerck attended the tree committee meeting in June and asked about having the tree trimmed that is on village property in front of 108. Asked to have the branches trimmed and stated the tree committee comment was the whole tree would have to come down. In the packet, provided by Forwerck, is a letter dated August 18, 2014, from Leedy, the only communication Forwerck has received from Leedy, asking if Forwerck had a survey. Mrs. Forwerck brought that survey to the September council meeting and left the meeting thinking that was all she needed, as that was all she was asked for. The survey shows an 80 foot street, which is what Front Street is. Two trees were cut on Main Street right around the corner. It was late in the day and Forwerck watched the trees being cut and thought they would move on to the tree in front of 108, they did not do that. They were not back the next day either. On November 23rd her renter called her and said a limb had fallen and had done damage to her car. A letter from Forwerck's renter is included in her packet explaining she called the village president twice with no response. Forwerck called her insurance company who informed her the claim would go with the renters' auto insurance. The estimated cost of repairs is \$1,386.04 and the estimate is included in Forwerck's packet. Forwerck stated that thankfully the limb did not fall on any body. Stated if it did that much damage to a car she doesn't know what it would do to a human. Last week Forwerck went to the register of deeds and obtained a copy of the original plat of the Fife Lake Lumber Company addition to the Village of Fife Lake, also included in the handout. Shows the plat clearly. Forwerck explained where her lot is on the certificate of survey and which clearly states the road is 80 feet. Mitchell & Associates performed the survey in 1999. Fisk told Forwerck to be mindful of her 3 minutes. Forwerck asked if she was out of time. Leedy thanked her and said they would look into it. Forwerck asked when, to which Leedy answered probably not today. Forwerck noted the insurance company is very anxious to hear from her tomorrow. Leedy said she would touch base with Forwerck and would also send it to the village insurance company. Forwerck asked why this wasn't done. Deike said it was discussed at the October meeting and wasn't forgotten.

Forwerck asked if she needed to go to court.

Leedy said Forwerck presented her survey but Leedy was waiting for the village survey to find the corner of the road. Forwerck's survey shows her property but it doesn't show where the village property starts. That is what the village is having done as part of the SAW grant, having the village property surveyed. They are working on the survey to get the village property marker to determine where the street is in relationship to Forwerck's survey to make sure a tree isn't cut down that is not on village property.

Leedy also said that as point #2 a budget was set for trees and set the priority for what would be worked on and the budget was set for a 2 year period. Over the next 2 years as it can be budgeted for trees, this is how it will go. Have not had a budget to actual the last several months so the progress of the trees was stopped. Need to find out where the village is financially.

Leedy continued with saying the tree guy was supposed to come back to finish the stump grinding on Maple Street, but he hasn't, so Leedy didn't have him continue because he hasn't been back to finish grinding the stumps.

Forwerck said she thinks Leedy is talking about Main Street. Leedy said it was Front and Main Streets. Leedy said the next one that is slated to be done is behind the township hall, priority wise.

Forwerck stated if there is more damage she will come back to the council. And asked she won't get an answer tonight? Leedy stated she couldn't give an answer tonight because she doesn't have all the information.

McGough said he took the time to walk the area. Said there is the sidewalk and then there is the tree. McGough said this should be a priority tree if it is discovered it is on village property.

Forwerck, addressing the council, is asking why they don't believe the survey she had done that shows the sidewalk that is on the north side of her property and the tree is on the north side of the sidewalk. Bob Mitchell did the survey. Is she to have another company come in and do another survey?

Leedy said it's not her survey that is not believed, but it is a matter of where Forwerck's property is in relation to where the road right of way is. The road right of way and what has been discovered in other areas of the village, is that the road right of way is not necessarily built centered on the road right of way. That's where the first issue is. It is not an issue that can be resolved tonight until more documentation is received.

Hayes asked if it is known where the corner markers are. Leedy stated it is not known. The problem arises from not knowing where the corner markers are for Forwerck's property.

Forwerck talked to the county surveyor, and as the property owner, states that tree is on village property which already has cost almost \$1,400 in damage. It's an old tree with many dead limbs. Forwerck asked last summer to have all the dead limbs cut. The tree committee made a decision that the whole tree should be cut and Forwerck is waiting to have that tree cut. Forwerck asked if she should have the tree cut and bear the cost?

Fisk said he believed the recommendation from the tree committee was the tree should be taken down, but Forwerck did not want to have it taken down.

Leedy stated it's not an issue of if the tree will come down, it's a matter of a priority list based on what could be seen visually on which were the priority danger trees. Stated it's on the list.

Forwerck asked where it was on the list. Leedy doesn't have the list in front of her and this issue is not on the agenda. Told Linda she is over her 3 minutes so this will not be discussed.

PUBLIC COMMENT:

Bob Menzies, 420 Merritt St., said to get a stake mark from the surveyor on the corners, there is no question there. Asking who put the sidewalks in. He believes it was Linda, not the village.

Mr. Menzies also asked if a portion of the meeting recording can be played back to hear the quality of the new recorder. Leedy said if he wants to listen to the recording she has been emailing a link to listen to the meeting. Menzies just wants to make sure everyone can be heard on the new recording device.

Mr. Menzies asked about missing money, maybe \$1,000? Was there anywhere taken into account for the tractor that was supposed to have been bought that hasn't been spent yet? Leedy said no because that money has not been set aside yet. And that amount was \$2,000. It's in the equipment fund.

Mr. Menzies asked about the village Christmas tree. Miller stated it will be delivered this weekend and will be put up on Monday.

Mr. Menzies said he was frustrated listening to Mrs. Forwerck and if she gets a survey stake it will solve her questionable problem. Leedy said it will be followed up on and also stated the renter called her on a holiday weekend and she was out of town. Leedy also stated seven of us went up and looked at it, Martin too and Martin paced it from the back of Linda's property to see if they could figure it out. Markers on the street of the village property could not be located so Leedy doesn't know where the village right of way is. Will look into it.

Roesemeier asked if there is any way some of the more treacherous limbs could be trimmed. Hayes said not until it is known if it is on village property or not. Leedy does not want to set precedence. Hayes asked if the tree could be moved up on the list. Leedy said all the trees that have been done so far have been in much worse shape and the next one on the list is the tree behind the township hall that hangs over the schoolhouse museum, the power lines and the snowmobile trail.

Hayes asked when the survey will be done by Fleis. Leedy stated they were working on it last week.

Further discussion by council.

Tummel suggested putting this item on the agenda for next month. Deike concurred.

ZONING REPORT:

Written report submitted.

There was a problem with the permit. Leedy stated people think there is an ordinance that you can't build a garage without a house, but cannot find that anywhere. As there was nothing to deny the permit with, it was granted. Planning commission will be looking into this.

Leedy issued permit. Scott will be paid for that permit as he did most of the work.

STREET REPORT:

Miller has been doing some plowing the last 3 weeks.

Tummel asked about Thomas and Blue Road and Martin said he could round that out a bit. That section of Blue Road is maintained by the county.

DDA:

Minutes from July 16, 2014 meeting submitted.

Did not meet last month and won't meet until January.

PLANNING REPORT:

Meets in December, did not meet in November.

Have the minutes that were missing, will get them entered and caught up.

FIFE LAKE AREA UTILITY AUTHORITY REPORT:

Minutes from October 16, 2014 meeting submitted.

Fisk gave report and December 2014 FLAUA President's Report to Constituent Municipalities is a part of these minutes.

Leedy asked if the resolutions could be taken care of now due to what time it is already.

Motion by Hayes supported by Deike to adopt Resolution #14-08 as presented.

ROLL CALL VOTE: Deike, Y; Fisk, Y; Hayes, Y; McGough, Y; Roesemeier, Y; Tummel, Y; Leedy, Y.

MOTION CARRIED.

Motion by Roesemeier supported by Deike to adopt Resolution #14-09 as presented.

ROLL CALL VOTE: Deike, Y; Fisk, Y; Hayes, Y; McGough, Y; Roesemeier, Y; Tummel, Y; Leedy, Y.

MOTION CARRIED.

PARKS:

DNR makes recommendations this month for whom will receive trust grant.

FINANCE:

Financial and budget reports submitted.

Leedy will set time when finance committee meets.

Jasper said as she is not a voting member should another board member attend the meeting. Leedy said if anyone else is available to attend they can. If anyone would like to attend, stay after tonight's meeting to set a time.

AD HOC MEMORIAL COMMITTEE:

No new requests have been received.

POLICY COMMITTEE – Proposed Amendment to Key Policy:

Committee has not met.

Leedy has a proposed amendment to the key policy, which states to allow the full voting members of the council access to the building. Leedy is willing to make some arrangements to secure the files, Vicky's files in the vault, and lock the file cabinets so there won't be any worry about documents leaving. Allows people to come in to view files, listen to meeting tapes. Each individual will be responsible for closing the building when they are done.

Hayes asked even though the documents states the trustees can have the key, they don't have to take a key? Leedy affirmed.

Hayes asked if they would be the "do not duplicate" keys. Leedy affirmed and stated Martin takes care of the keys.

Motion by Roesemeier supported by Tummel to amend the key policy as written.

Deike asked for clarification on the 4th paragraph. Leedy stated that is for people who rent the building.

MOTION CARRIED.

PERSONNEL COMMITTEE – Job Description Development:

Committee has met and Leedy included report in council packets. 2014 Employee Appraisal Performance Form: Martin Miller of Village of Fife Lake handed out by Leedy. Martin would do a self-evaluation, Leedy would do an evaluation and then they would meet.

Roesemeier asked if Martin has done an evaluation on the part-time employee. Martin stated if he was asked, he would. Roesemeier feels it would be a good idea.

Deike asked if the part-time employee would do a self-evaluation, then Martin would do an evaluation and then meet with the personnel committee. Deike also asked if the evaluations would then be placed in the employee file. Leedy affirmed. Motion by Roesemeier supported by Deike to approve the performance evaluation form. **MOTION CARRIED.**

Job Description Development was a note Leedy added so everyone can write down what their job description is. I.e. Jasper does the books. Trustees can write down what their job description is currently and what they think it should be. The procedure manual has been started.

Caverson stated we are a General Law Village and duties are already stated in the general law. Leedy said, however we don't follow what is in the general law and that is why the job descriptions are needed. If the general law was being followed then Jasper and Caverson would be doing all the books. Hayes stated they don't get paid for that so that may need to be taken out of the job descriptions.

ACTION ITEMS:

Updated Items and Tabled Items from 11/10/2014 Meeting:

a) BATA Update

Leedy attended their last meeting as did Menzies. Fife Lake may get another fixed route. Bus stop may be moved to Fife Lake Village Market.

Deike communicated with Kelly regarding the safety of the bus stop. Kelly then suggested Beacon & Bridge. Deike's concern with Beacon & Bridge is that it's not centrally located for residents.

Discussion. Leedy feels they made a little headway.

Roesemeier asked about a scheduled route. Leedy said there is a 6 am and 6 pm, or somewhere in that neighborhood, and BATA may add a noon, or a 1 in the middle of the day as whenever residents, call BATA says they are full, even when calling two weeks in advance. Menzies stated BATA said they are not a cab company and that is what Leedy said they told her at the meeting.

Further council discussion.

Deike thanked Leedy and Menzies for attending the meeting.

b) Senior Citizen Property

Nothing new.

c) Corey Caverson – FOIA Request Attorney Invoice

Deike spoke to attorneys. Letter from attorney is included as part of these minutes.

Deike summed up the letter saying the attorneys filled the request on the village's behalf. Caverson's role as clerk or individual was addressed. Deike reads the letter as Caverson's role being clerk and the statement in the FOIA request still clearly states notification of fees prior.

Roesemeier said that was a tie breaker as far as she is concerned. The request specifically requested any notification of fees associated with this, and they failed to do that.

Hayes stated that as of today the bill has not been paid. Hayes asked if we direct Deike to go back to them or just pay the bill.

Leedy said she doesn't think it's fair the taxpayers have to pay this bill and that is whose money is being spent. Hayes said more is spent each time the attorneys are called.

Deike did clarify with them this would not be a fee-able conversation.

Roesemeier asked if the attorneys make any reference to the fact that they incur no expenses. Dieke said no, they do not. The letter states "all the charges reflected on the invoice were incurred in assisting the village with its legal obligation to respond to the FOIA request; all actions were taken with the authorization of our primary liaison and point of contact for the village council."

Leedy stated it was a misleading request as it was signed by the village clerk in an official capacity but it wasn't done in an official capacity. Leedy feels this is where all the confusion came. They felt the request was done on behalf of the village council.

Deike read the portion of the letter that states "it was her intention to submit the FOIA request in her official role as the village clerk and with the belief that she was attempting to procure documents for the benefit of the village council." Even though her actions were not authorized.

Leedy said that for her that's what makes Corey responsible for the bill because she was out of line in incurring that bill and trying to do that on behalf of the village. Anytime you send anything to the attorney it's going to start the clock ticking. So that bill started before Leedy ever got a phone call from the attorney saying they got this.

Roesemeier said she believes when it is stated clearly that no bill is to be incurred until you respond to me that it negates that.

Leedy said that it's Caverson's burden to sort out. Council can always vote to request Caverson to pay the bill and she would have to pursue it in small claims or whatever fashion, or not pay it and the village would pursue it in small claims and then she would have to defend it based on that. Still doesn't feel the village taxpayers should have to pay for that. Roesemeier agrees but doesn't feel it's the council's duty to re-direct.

Leedy states the village can't re-direct, the bill has to be paid, and then have to ask Caverson to pay the bill, if that's what council chooses to do.

Deike said she's not sure that can be done. Paragraph 2 says "the FOIA statute does not allow a local unit of government (or its counsel) to directly bill the legal expenses incurred in the production of a response to a FOIA request to the party who submitted the request." Deike then read the portion of the letter relating to the charges the village could bill Caverson for. Deike continued in saying while she respects not re-directing, she doesn't know if that is an option because the village can't pay it and then bill Corey. It is not legally possible. Deike said she doesn't think the village should pay the bill. She doesn't know what should be done to move forward, but she doesn't think the village should pay the bill.

Roesemeier agrees.

Hayes commented that in their response the attorneys said "on the first question, all the charges reflected on the invoice were incurred in assisting the village with its legal obligation; all actions were taken with the authorization of our primary liaison and point of contact for the village council. Hayes said what the attorneys are saying is they are billing because it was through the liaison and primary point of contact. Hayes said whether the council is in agreement with that or not she doesn't believe the council has anywhere to stand.

Leedy asked Caverson if she was willing to pay any of the bill voluntarily. Caverson said no.

Caverson stated she specifically requested she be notified of any charges prior to any costs being incurred, and what that cost would be.

Leedy stated when Caverson sent the request she knew there would be a charge to the village. As soon as they open the mail Caverson should have known there would be at least that initial charge of opening the letter, reading it and calling Leedy. Leedy stated the attorneys received the FOIA request 8 eight days before she did.

Caverson affirmed again she is not paying it.

Deike stated if the FOIA request was submitted by Caverson as the clerk, can council request to have Caverson respond as the village clerk, stating she requested to be notified of the fees, and was not, and thus not liable. She feels Corey needs to stand her ground saying this is what I said, you didn't follow what I said.

Fisk said no action should have been taken until after they fulfilled, however whether it was appropriate or inappropriate as clerk or private citizen, it appears the attorneys jumped the gun doing what they did.

Deike said they have that statement that says talk to Lisa, because she is the liaison.

Deike said if she was the liaison they would have called her, and said we have this FOIA request and we need to fill it and these are the questions I have for you. Deike would have answered them. At no point would she have said wait, don't fill that FOIA request, wait, what are you charging me.

Hayes said if Deike wouldn't have had a copy of the letter they would have read it to her asking if there were going to be any fees. You would have said, what are the fees going to be and that would have shut it down right there.

Leedy stated when the attorneys were reading her the letter, the last thing she heard was about the fees or thought of. All she was thinking was what the heck is this about. Why, if she wanted the records, didn't she pick up the phone and call, send an email or send a text. Or show up at the village and meet with Leedy.

Lawyers told Leedy they have never had this happen before. Leedy thought she was doing the right thing. Five days response time, did what she had to do to respond on time. Leedy said she should not be the one to be chastised. Doesn't appreciate how this keeps coming back to her. Corey initiated this because she can't communicate with Leedy. Leedy said she is available and has always responded to her and answered any questions anyone has asked.

Hayes said the only comment she made that came back to Leedy was the part she read out of the letter. That's all. Hayes did not make any comment that was personal from her, she just read what the attorney wrote. Leedy accusing her of picking on Leedy is not fair.

Leedy, answering Hayes, said Corey initiated this and created a \$2,300 bill for the taxpayers. Someone is going to have to pay this bill or at least a portion of the bill. She's sure they are not going to wipe the whole bill away. They may work with part of it. Someone is going to have to be responsible for it. Leedy wants to know if this council wants to make the taxpayers responsible or whether or not they want to compel Corey to be responsible for it, or at least for part of it.

Roesemeier would like to see Corey contact them (the attorneys) and discuss this with them.

Tummel read the part of the letter that states "if you/or the village council have any other questions regarding this matter, or if you would like to discuss payment of this invoice over time, in order to reduce the impact on the village's budget, I would be more than happy to talk with you or any member of the council at your convenience."

It does not say whether it would be billable or not.

Deike said she made sure up front it would not be a billable conversation.

Fisk thinks the position of council is that it is not a bill they incurred. Have Corey contact the attorneys saying that up front to let her know if there are expenses, and they did not do that. To make sure to confirm the meter is not running. Roesemeier said she won't vote for the village to pay for this. Leedy said the contact should be made in writing and to clarify this will not incur costs, and then if they want to call her with that understanding. Roesemeier makes reference to the section of the letter Tummel just read. Leedy asked Caverson if she was going to contact them and bring back information at the next meeting. Caverson affirmed.

d) Bates Street Repair Responsibility

It was discussed at last meeting that Leedy made the decision on her own. Looking back in the minutes she saw that council approved to have that repair done on September 8th and the work was done on September 12th. Leedy wanted to clarify it was a full council decision. Found the street committee minutes, George made a motion Dave should pay for it, Martin said he shouldn't, but Martin did note Dave was aware there was a problem. Hayes said Dave knew it was a problem but not that he would be charged for it. Leedy affirmed. Discussed at the September 8th meeting and research would be done to determine who would be paying the bill. Leedy said McGough knew at that point there was a chance he would be responsible for paying for it.

Bates Street repair cost clarification, as written by Leedy, is in council packets. Leedy further stated the Paser rating is the depreciated rate of the road, but Grand Traverse Road Commission, whom Leedy spoke with, bills repairs at 100% regardless of the condition of the road, just as the village bills 100% of lamp post costs to replace. Don't need an ordinance if damage is caused to village property that is out of the ordinary. Engineers told Leedy that McGough should have a concrete approach from his driveway up to the road so he doesn't continue to cause damage. Leedy said the owner of the truck does provide McGough a place to park his truck, he does not have to park it at his home. McGough stated the letter, Bates Street repair cost clarification, is hear say. He'd like to see proof.

Leedy stated the precedent has already been set as they don't depreciate anything else that is damaged. Again, lamp posts. When someone is billed for damage in the village they are billed at 100%. The tree replacement was billed at 100%.

Leedy further stated McGough got off pretty cheap because it was done at the time another project was being done.

McGough said they are telling Leedy, not him. They need to call him or send him a letter.

Leedy said she was just fact finding from other places to see how they handle their damages to make sure the village wasn't out of line if the damages were to be assessed at 100%, or should they be assessed at 50%.

Tummel said if anyone else would have damaged the road, and McGough knew he was doing it, but Martin could patch it for whatever, the village would have sent them the bill.

Tummel doesn't understand why this continues to be gone over. If the bill would have been sent and not paid, it would go on their taxes. Fisk agreed, McGough disagreed.

Hayes stated the snowmobile trail repair on Pierce Street years ago was done at a discounted rate; therefore, precedent has already been set.

Leedy said that since then everything has been billed at 100% and she did not research that incident.

McGough stated the village parking lot gets torn up by A-1 Sanitation, is the village making them pay for that also.

Menzies said Dave knew he was doing it and should have stopped by parking somewhere else. The engineers said he should put in an approach to the road.

McGough said if he had known that he probably would have paved the whole thing.

Leedy said it's not the engineers responsibility if they see something in the village as they are driving through to say to fix something.

McGough asked if it was fair, as Marilyn said, the depreciation amount was paid for the snowmobile trail repair.

Menzies said to turn it in to his insurance and maybe all Dave would have to pay would be the deductible.

Motion by Leedy supported by Tummel to require Dave to pay the full \$1,250 for damages to Bates Street.

ROLL CALL VOTE: Deike, Y; Fisk, Y; Hayes, N; McGough, N; Roesemeier, N; Tummel, Y; Leedy, Y.

MOTION CARRIED.

McGough questioned if it will go on his taxes if he doesn't pay the bill.

Roesemeier thinks this should be discussed outside of this meeting. Hayes said she thinks it would have to go to court to put on taxes.

Leedy said if there is an ordinance, it can be put on his taxes. Stated the ordinances are not in the best order right now. Or invoice him, if he refuses to pay then take him to small claims court.

McGough stated to save time, that is what will need to happen. He refuses to pay it.

e) LED Project

At tonight's meeting each council member received a copy of the bid spec for LED streetlamp replacement.

Leedy explained the document.

The document is a part of these minutes.

Discussion on color of lights, wattage, and light pollution.

Motion by Hayes supported by Fisk to put out for bid the LED Streetlamp Replacement Project, per the attached specification, with them being due back before the next council meeting, with the correction of 66 streetlamps, from 65 streetlamps.

MOTION CARRIED.

Miller asked if it looked like something he and Vic can do, would they be willing to train them on how to connect the four proper wires and make the connection. Miller doesn't see the need to pay a crew \$125 per hour to connect four wires and put four wire nuts on when it is something so simple.

Leedy wants to see where the bids come in and see if all the lights can be done with the money that is available.

Roesemeier stated Miller still needs to be there.

Leedy stated it is 9:15 pm and if Dave agrees, take the next three items and refer them to the policy committee for research and recommendations because the information Dave would like to talk about is not available right now.

Hayes stated "f" has already been taken care of. Hayes asked McGough for verification. McGough said he wanted council to be aware of what rights were taken away.

Leedy said no rights were taken away, just set up passwords for all the users.

f) Computer Access for Clerk

Taken care of.

g) President Spending

Will be referred to Policy Committee.

h) Request for Shortened Minutes

Deike wants to go over shortened minutes. DDA & FLAUA minutes include a lot of information. She knows what happened at the meeting without being there. Looking at the council minutes from last month she is unclear of what was discussed. Deike knows there is a lot of discussion and feels that is valuable. Doesn't feel they are out of line asking considering what the sub committees are doing.

McGough stated once there is a good recording device it will be easier to listen to the meeting. He feels things are just getting picked apart.

Tummel said he doesn't want to be misquoted.

Leedy said if it's not accurate it has to be corrected. The public or council has asked to have their comments corrected repeatedly, if motions are misstated it has to be corrected. Most people don't have to re-listen to the entire meeting if they are taking notes. Should only have to refer back to the tape just to verify if this was accurate or if that was accurate. Shouldn't have to listen to the entire tape, unless you're Leedy and wait until the minutes come and she wants to be accurate because she doesn't want to be wrong in her corrections. She doesn't want to have to do that. Leedy is taking notes and the first thing she'll do is compare her notes to the minutes. And if they are inaccurate based on her notes she has to go back and listen to the whole tape and type a whole correction list. Otherwise the permanent records for the village are going to be inaccurate.

McGough stated the new recording device is what was needed a long time ago. Leedy sure hopes so.

Leedy asked if everyone is in agreement to stick to more detailed minutes. Fisk added with dollar amounts and everything.

Leedy said it is hard if you wait a couple weeks and go back to look for something you may realize something is missing. Better to have more detail.

Fisk noted the messed up cassettes used previously were not right.

New Items:

a) Resolution for FLAUA Bylaw Amendment

Dealt with earlier in meeting.

b) Resolution For FLAUA 2015 Rate Increase

Dealt with earlier in meeting.

c) Proposed Committee Assignment & Schedule

Leedy came up with a suggested committee schedule, provided in the packets. Not written in stone. Wants to start monthly committee meetings right of way. Picked a schedule based on what she thought the availability would be for the individuals on the committees. Looking for input.

McGough sees one he is on that meets at 11 o'clock which won't work due to his job.

Leedy said if there is a safety committee and want the employees to be part of the program it has to be held when the employees are there. McGough will have to excuse himself from that one.

Further discussion on appointments and times of meetings.

Tummel is concerned about being on committees and his lack of time. Hayes explained committees only discuss, there are no votes because a decision cannot be made at the committee level.

Motion by Deike supported by Fisk to adopt the committee list as presented.

MOTION CARRIED.

Motion by Roesemeier supported by Deike to extend the meeting no more than 15 minutes.

MOTION CARRIED.

d) Equipment Bid Not Paid

Equipment that was put out for bid gave the winner of the bid (Mark's Tree Service) 11 days to pick up and it has now been 3 months. Copy of bid spec included in council packets.

Leedy is asking council's pleasure if a letter should be sent giving him a timeline to complete the transaction.

Motion by McGough supported by Deike to give Mark's Tree Service until December 31st to complete the transaction, and if he does not it goes back out for bid.

MOTION CARRIED.

e) 2015 Board Appointments

Tabled until next meeting.

f) Furnace

Hicks Plumbing & Heating quote in council packets.

Hayes has not been able to get a hold of him. No phone number on the quote so she Googled him for a phone number. She called last week, called all day today, called tonight after work again, there is no answering machine, nothing. Leedy said she would text Hayes the number she has for him which has voice mail.

Hayes noted that Hicks Plumbing & Heating says they have a 2 hour response time, but if you can't get a hold of him she is not sure what to do.

Deike said Hayes may want to let him know that all the information on the bottom of his quote is blank, where there is a place for all his information.

PUBLIC COMMENT:

Menzies hopes everyone had a good Thanksgiving and with Christmas right around the corner, treat everyone with kindness.

BOARD COMMENTS:

Roesemeier said the Chamber of Commerce is sponsoring the tree lighting on December 15th at 4 pm. Kids from school are decorating the tree.

McGough said Santa Claus will be at the Legion on December 15th from noon until 1 pm.

Deike stated there will be a concert fund raiser Wednesday night at 7 pm.

Roesemeier said on December 11th Friends of the Fife Lake Library will be having their monthly meeting, the drawing for the quilt and will be serving finger food.

McGough said there will be another fish fry this Friday.

Fisk will be emailing all board members the combined meeting that was held on November 25th regarding the sewer project.

Motion by Roesemeier to adjourn the regular Council meeting at 9:35 p.m.

MOTION CARRIED.

Respectfully submitted,

Corey Caverson
Village Clerk

Adopted¹ Corrections to the Dec 1, 2014 Village Council Meeting:

(Page numbers are designated as listed on the tops of nearest page, not printed page)

Pg 3 for the Roll Call vote at the top of the page:

Motion was not stated on the minutes, but should read as follows:

Deike moved to continue with Forest Area Services for payroll only for the next month. Fisk supported the motion.

Leedy further clarified during discussion on this motion that all grant money have paperwork in the vault in binders or folders that were put together by Sandra Wilton, and that if there is a question than feel free to ask where those are kept. The millage money does not have a folder but follows the guidelines of the millage that was passed through the County.

Pg 4-5 for the Roll Call vote at the top of the page:

Motion was not stated clearly with support on the minutes, but should read as follows:

Roesemeier moved to give the Finance Committee the power to make the recommendation to gather the information and make the recommendation whether to continue with Forest Area Services for the remainder of the month not to exceed \$800 . McGough supported the motion.

Motion was carried with the roll call votes as detailed on stated page 5