

## Kenockee Township Board of Trustees Meeting

October 11<sup>th</sup>, 2022

Meeting was called to order at 7:01 p.m.

Roll Call was conducted with all board members. Twenty-five residents were present.

Supervisor Molesworth led the Pledge of Allegiance.

**Supervisor Molesworth made a motion to go into a closed session for the purpose of consulting the township attorney regarding a confidential attorney/client communication concerning a legal opinion as permitted by MCL section 15.268(h) of the Open Meeting act. 2<sup>nd</sup> by Treasurer Shappee, Roll Call Vote: H/Y, S/Y, H/Y, M/Y, S/Y. 5 Ayes 0 Nays Motion Passed.** Supervisor Molesworth asked that all in attendance of the meeting to vacate the premises.

**Motion Made by Clerk Hill 2<sup>nd</sup> by Treasurer Shappee to close the close session. Roll Call Vote H/Y, S/Y, H/Y, M/Y Trustee Schieweck abstained from vote. Vote 4 Ayes-0 Nays. Motion Passed.**

**Motion Made by Treasurer Shappee, 2<sup>nd</sup> by Trustee Hawks to follow the attorney's recommendation to move forward. Roll Call Vote H/Y, S/Y, H/Y, M/Y Trustee Schieweck abstained from vote. Vote 4 Ayes -0 Nays Motion Passed.**

**Motion made by Treasurer Shappee, 2<sup>nd</sup> by Clerk Hill to return to open session. Motion Passed 5-0.**

**Motion to Approve the Agenda additions/deletions: Trustee Schieweck stated he would like to remove the Roads and Bridges section. Clerk Hill stated that the County Drains can be removed from the agenda it was paid last month. Supervisor Molesworth Mike Francek is not present; it can be removed. Molesworth stated, that progress for the Master Plan and Township wide survey can be removed. Treasurer Shappee requested that Fire Authority with Emmett and possibly Grant Fire Department off.**

**Motion to approve the agenda as amended was made by Trustee Schieweck, 2<sup>nd</sup> by Trustee Hawks. Motion Passed 5-0**

**Motion to Approve the September 13<sup>th</sup>, 2022 board meeting minutes as presented was made by Trustee Schieweck, 2<sup>nd</sup> by Clerk Hill. Motion Passed. 5-0**

**Motion to Approve the September 19<sup>th</sup> Special Meeting Minutes as presented was made by Treasurer Shappee, 2<sup>nd</sup> by Trustee Schieweck. Motion Passed 5-0.**

Supervisor Molesworth stated, that at the last months Board Meeting he was not proud of when we pass the agenda out, that is what we are going to discuss. If someone brings up something that is not on the agenda, it will be added to the next months meeting.

You have the opportunity to call the Office Manager Larissa if you would like to be added to the agenda. So, we are trying to streamline things regarding the agenda. Treasurer Shappee asked if the comment section could be held at the end of the meeting and not during our discussion to allow things to keep moving forward? All Board members agreed.

**Code Enforcement report:** given by Kris Sutherland. He stated that this is follow up of what we left off. We received a complaint regarding

7581 Bean Road. He went by the residence and seen 2 derby cars in the yard. He went back a few days later and they had been moved inside the garage. He stated, that he stopped to speak with the resident who was working on them. He stated that derby season is coming to a close, he addressed the issue with them.

3051 Duce Road. He followed up on an old complaint. This was previously dismissed from court due to the resident becoming compliant.

3942 Haley Road. This is a grow op. The gentleman has submitted his packet to the township. This is an ongoing under review.

5935 Cribbins Road: this is an on-going case. He stated he visits the residence bi weekly. This is the gentleman who supposed to go to court in June. He stated that every task that he has given the homeowner to complete, the resident has complied. He stated, he is going to continue to work with the resident.

8916 Avoca Road: The property is changing ownership. They are closing on the property this week. He stated that we should see progress on the property starting the following of the closing.

3702 Kilgore Road: The property with multiple trailers. I have given them a two-week warning due to more trailers have shown up on the property. They two new trailers do not have plates. So, he was given the two-week warning to start removing trailers off the property.

Treasurer Shappee asked about the property across the street from 3702 Kilgore where the homeowner has passed. She asked if someone was purchasing the home. Jim Golembiewski stated, that the daughter was attempting to clean up the residence following her mother's passing. There still needs to be cleaned up. Treasurer Shappee stated, that the lawn has not been cut

**Zoning:** given by Jim Golembiewski. Jim stated There was one new lot split on Metcalf Road for Robert Weller. The property was split in 2 parcels: 1 parcel is 10 acres and the second is 9.97 acres. Golembiewski stated that the township received a new lot split from Charles Francek.

Golembiewski stated, that regarding the burned property. He would like to see something put in place regarding burn outs. Give the residents a 30-day window for clean-up. Treasurer Shappee asked if this was something that would go to the planning commission to review and get the wording down? Golembiewski stated, we just need to get something from the board passed, so that we can something doesn't sit there for six months. This way the code enforcement officer can go visit them following 30 days after the incident. Supervisor Molesworth stated we should see if we can find another township that has such an ordinance to use as a guide for writing ours. Supervisor Molesworth asked Planning Commission Jim Muldoon, if this would be something that the planning commission could do? Jim Muldoon stated, He could check into it. But he felt it would fall under a zoning and blight ordinance. He stated that he doesn't think that's what the township is going after. He stated that we are still trying to get where the insurance is held as a bond and won't be paid out. Treasurer Shappee stated, that she received confirmation that the township is now registered for the program. She asked, if we are going to do this ordinance, should we not have something in there stating how to collect on the excavator and should a capping of a sewer should need to be done? Jim Muldoon stated, that a building inspector would have to respond and claim it is a hazardous situation and action must be taken place and if not done within a certain timeframe. Jim Golembiewski stated, he could come up with something that would make sense to everyone. Supervisor Molesworth asked, if we have a condemnation ordinance? Golembiewski stated he didn't know in there what it would fall under. Supervisor Molesworth stated, that maybe we will have to take pieces out of our ordinances and put them together for a new ordinance. Jim Golembiewski stated, once its condemned, but we need the language somewhere once the property is condemned that they would only have such amount of time to clean up the property. Treasurer Shappee stated, that it needs to be noted in the ordinance that the property owners are responsible for fees that incurred by the township. Golembiewski stated that if it should go on for 6 months, then the township can go to Circuit Court and get the fees added to the owner's property taxes at \$500.00 a day. It would definitely get their attention to clean up the property. Molesworth stated, that at \$500 a day, it wouldn't take long for a resident to walk away from the property. Golembiewski stated, that the township could in turn sell the property. Golembiewski stated, that he would come up with something to present at the next meeting. Jim Muldoon stated, that is why the county can't sell the funeral home property. Treasurer Shappee stated, that it's not why the well was placed in a road way that is closed and the county needs the township to vacate the road in order to sell the property. The township needs to vacate the road first. Supervisor Molesworth stated, that the township does not want to become landlords.

**Treasurer's Report:** given by Treasurer Shappee.

Township Bank Accounts: **Balances do not reflect October 11th, 2022 meeting bills and payroll.**

**Fire Department Acct: \$61,941.34**

**Fire Capital Improvement Acct: \$106,719.99**

**Building Fund: \$23,999.25**

**General Fund Balance: \$25,878.44 road millage still to be transferred into general fund**

**General Fund Capital Improvement Acct: \$58,713.67**

**Parks and Recreation: \$661.30**

**Tax Account: \$942,793.85 The county was just sent \$733,000.00**

**ARPA Account: \$186,617.16**

Treasurer Shappee stated that last meeting we made the motion to submit our expensed to the County to receive the \$50,000.00 grant. However, we never discussed who was going to submit the paperwork to the county. Clerk Hill stated, that when he was here, he stated something about us submitting a letter to request the funds. Supervisor Molesworth stated, that he would get a hold of the Commissioner.

Treasurer Shappee stated, that we need some funds to go into parks and recreations account, because there was a clerical error in the budget when it was put together. Therefore, they have a shortfall. The parks account needs \$6200.00 transferred into their account.

Treasurer Shappee stated that she would like to reiterate a few things. She stated that in following the Michigan Department of Treasury procedures manual, she hates to be the bad guy but moving forward she will be. She stated, that if she does not receive an original bill, (not a photocopy), an original receipt, (not a photocopy) she will not be signing the check. It is stated in the manual that they must be originals. She stated that there are few other points in the manual and stressing hard the policies for spending. She stated, that we don't really have many policies regarding spending and we need to change that.

Treasurer Shappee stated, that the bills for the cost and recovery could we modify the bill of instead of saying Fire Officer times 2, under hours it states 1, the amount states \$40. She stated, yes, it is 20 times 2 = \$40. But, can we put the quantity of people under the hour's times the rate to be the amount. This form is confusing to people. She would like it modified and get a clearer bill to the ones receiving it.

Supervisor Molesworth asked Chief Vincent if we include the ambulance service as part of our cost and recovery if they are present at the scene? Chief James Vincent advised, no we do not.

**Motion made by Treasurer Shappee, 2<sup>nd</sup> by Trustee Hawks, that the township transfer \$6200.00 from the ARPA account into the Parks and Recreation account to help cover half of the driveway expansion. Roll Call H/Y, S/Y, H/Y, M/Y, S/Y. Vote 5-0 Motion Passed.**

**Assessor's Report:** given by Heather Stewart. Heather Stewart introduces Barbara Cutcher as the township new assessor of record. She stated that they have been working together to transition everything over to Barbara Cutcher. Heather stated, that the biggest change that they are working on is the property splits. Sanilac County does them differently than St. Clair County. She stated, they will be working on that together for a while. Heather stated, that Barb has asked for Heather to assist her with the MTT (Michigan Tax Tribunal) case that is being held on November 18<sup>th</sup>, 2022. She stated, that the Tribunal stated, that Heather Stewart could remain a representative under the assessor of record for the township. So, she will be assisting in the case. Heather stated, that she does have to mention that when we have a final packet, we are scanning everything over to Supervisor Molesworth and to St. Clair County's plan and graphics Gloria Ebner. Ms. Ebner does the parcel identification numbers with legal descriptions and sets that for the township. Heather stated, that she noticed that the scanner previously used has been removed. Treasurer Shappee stated, that the copier is now used for scanning. Heather stated, that since our copier is not great, we do have an issue. Treasurer Shappee stated, that she has a scanner for Ms. Cutcher. Treasurer Shappee will bring it over and put it in their office. Heather stated, that the Apex license has been transferred over to Ms. Cutcher. Heather stated, that she transferred to Barbara Cutcher her Kenockee township email address in which she's had since 2018 so that she will have the historical timeline and access to everything that's been done since she started. Heather stated, that she has turned over all copies of board of review minutes that she had in her possession from 2015 to present to Clerk Hill. She stated, that all documentation prior to 2021 has been taken to the file room at the fire hall.

Heather Stewart stated that a copy of the street light assessment resolution is in the boards packet tonight that we will be voting on tonight. Supervisor Molesworth asked, when does the sewage assessment need to be done? Treasurer Shappee stated, that it comes from the county and we receive it at the end of October/November timeframe.

Treasurer Shappee stated, that the board never agreed on a salary for Heather Stewart while she is assisting Ms. Cutcher transition over.

**Motion made by Treasurer Shappee, 2<sup>nd</sup> by Trustee Hawks to pay Heather Stewart \$300.00 a month while she is training/assisting Barbara Cutcher for as long as she needs her during the transition. Roll Call Vote: H/Y, S/Y, H/Y, M/Y, S/Y. Vote 5-0 Motion Passed**

**Motion made by Trustee Schieweck, 2<sup>nd</sup> by Clerk Hill to adopt Resolution 2022-10 Street Light Assessment for 2022 fiscal year equaling \$3720.64. Kenockee Township to pay 40% equaling \$1488.26 and the Street Light Assessment Split of 60% \$2232.38. Roll Call Vote: H/Y, S/Y, H/Y, M/Y, S/Y. Vote: 5 Ayes 0 Nays Motion Passed.**

**Fire Department Report:** given by Chief James Vincent

He stated in the effort to be transparent he will be telling you everything. He stated that he informed Central Dispatch of the Interim staff command changes. I am attempting to gain access to the Smoke System, which is the Michigan Fire Fighter Training Council of Michigan (LORA). I have gained access to the system due to Clerk Hill giving a letter stating the command change. I am slowly getting this system updated. I sent Asst. Chief Engel to the Chief's meeting, I do have the meeting minutes, but there is nothing much pertaining to our department. The one thing brought up at the meeting was they were going to be offering an instructor class. According to the State of Michigan in order to be fire chief you have to pass instructor 1 class and your Company Officer 1 and 2, or Fire Officer 1 and 2. So this is one of the requirements in order to be chief and they finally are having a class available in St. Clair County. Supervisor Molesworth asked what is the Fire Officer 1 and 2 in the ranking system of Captain, Lieutenant etc. Chief Vincent stated, so basically if you want to become an officer you should have Company Officer 1 and 2. In order to be a Chief you have to have it. I am looking into this class and recommending it to the ones who wish to become an officer. I am looking into assisting in the fire academy class. I have rearranged the mailboxes at the station. The green rescue sheets received through the grant are temporarily mounted on the trailer. It is a temporary trial period placement to see if they ride there fine. A long-term goal is to mass equipment to make a rescue task force. The department will retrain within house than retrain with the department mutual aid companies. Chief Vincent stated that his goal is to make a Grain Rescue Task Force. Treasurer Shappee inquired if it would be like the dive team. Chief Vincent stated, yes. He stated that he pulled and organized all personnel (blue) files and training files they are all located in the same filing cabinet under lock and key. The Chief and Asst. Chief are the only department personnel who have access to the cabinet. He stated, that there is a sign in sheet on the filing cabinet that needs to be filled out when entering the cabinet. I would ask that the Board respect the policy. He stated, that you are my employer, however, it will keep track of who is going into the personnel/training files and why. He stated that he has planned to sit down one on one with each individual and go over all the documentation to get them into compliance. He stated, that there is a lot of the firefighters that don't have all of their certificates in their files. I am trying to make sure all of the firefighters' certificates are up to date and in the files. Chief Vincent stated that he received a FOIA request for a house fire on Avoca Road. It has been submitted and an email copy was sent to the Supervisor.

Chief Vincent contacted the Medical Control Board about Command Staff changes. Also, there is some medical protocols that are looking at 60-day review and we are reviewing them now. This may affect the way the department administers Epinephrine and Narcan. Basically, what it is that we currently use the auto injectors and there may be the possibility of going back to using the glass ampul. Chief Vincent stated, that he is opposed to this possibility, due to now the department will have a syringe and glass ampul to have to dispose. He stated there's also a risk of injury. He doesn't feel that the risk is worth the cost. He stated that he will voice his opinion to the medical representative that represents the fire department who will go in front of the medical control board. Chief Vincent stated that he reviewed an incident report with Rescue 1. A firefighter was backing the rescue truck into bay 1 and the passenger mirror slightly rubbed on the door wall. The incident report was reviewed and signed by Chief Vincent and placed in the firefighter's file. He stated that he contacted IT Right and updated the equipment. He stated that files from all computers have been transferred onto 1 computer to make sure that they are saved properly. He stated that the laptop has been defragmented. Which has sped up the speed of the laptop. Long term goals regarding the computers are to organize the file system. Get files ready for the firefighters that are not allowed full access to the computer. To make read only files too on some files. He stated that he developed a spending sheet to accompany any paperwork associated with accounting. Chief Vincent presented a rough draft to the board. He stated that any time something is purchased by credit card. This form will have to accompany the purchase. He stated that he spoke with the Office Manager and Clerk Hill regarding policy turning in invoices to the office. It was agreed that all invoices with the new spending sheet will be turned in on the 2<sup>nd</sup> day of the beginning of the month to the office along with payroll. If the office doesn't receive a spending sheet does not accompany any bill, then the bill will not be paid. He stated that he was given a key to the township office so that he can drop off his paperwork and have access to his mail and paid receipts. He stated, that he has updated the burning permit sheets. He met with Tri Hospital EMS at their monthly luncheon. He spoke with them regarding the trestle and suicide attempts. He stated he wanted to discuss ideas of how to deter these attempts from happening. This is concerning, we've had nothing in the last 25 years and now we've had 4 attempts in the last 6 months. He stated the former chief was working with the county on posting suicide awareness hotline at each end of the trestle. He stated that the officers and he have made a to do list. He stated the priority this month is to make the priorities on the to do list. He stated he met with the Water Authority regarding the pipeline/hydrant on Metcalf Road. He was advised it is in service. However, it is only being used for emergency purpose until they do all of the testing along Metcalf Road. Once this is complete, they will notify him. He stated **that they established a schedule for all department meetings. The first Monday of the month is the business meeting, The second Monday of the month will be work detail. The third and fourth Mondays of the month will be for training. If one should fall on a holiday then it would just fall to the next day.**

Chief Vincent stated that the department sent four firefighters to fire class. They have been registered in the Smoke program and books have been purchased following notifying Supervisor Molesworth for purchase approval. He purchased four books at \$94 apiece. He stated he wished them the best during their training. He stated that He, Firefighter Stephanie Hanselman and Cole Ferguson are almost done with their EMT training.

Fire Calls: 13 calls in September 2022

He stated that he didn't have the call breakdown, but 1 house fire, a few PI Accidents and the remaining were medicals.

He stated that the department had to cut the communication line at Kilgore and Lapeer. It was previously broken and finally broke and fell into the roadway. He stated that they attempted to contact Frontier 5 times to get them to respond out to the incident. He stated that they did not respond and it is not the policy of the department to cut communication lines. However, it was in the roadway.

Chief Vincent stated that he received an invoice from Radio First. He stated that it was addressed to Kenockee Township Fire Hall. He stated that he called to see what this invoice was for. He stated he was advised that it was for a radio ad for the fire fest. He was advised that Joshua Schieweck was paying on the invoice per Radio First. He stated that he just wants the board aware that the department did receive this invoice. Trustee Schieweck stated, that He already paid the invoice. Chief Vincent stated, so this has already been taken care of? Trustee Schieweck stated, yes.

Chief Vincent stated that the last notification received regarding the new fire truck, was that they were still waiting on the chassis from the builder. Basically, he stated it was his understanding that once it is received the process goes quickly. Trustee Schieweck stated, that he forgot to send Chief Vincent the text advising that the chassis is ready and being shipped to the factory and the box is getting painted. He stated, he just received the message at 6:55p.m. today.

Trustee Schieweck asked if he wanted him to discuss the old truck? Chief Vincent stated, yes.

Trustee Schieweck stated, that he received notification that the old truck agreement has been approved for purchase. He stated they are inquiring if the township wanted the payment check now or when truck is ready for pickup? Treasurer Shappee stated, when the truck is ready for pickup. She stated why would we want to take the liability of holding their money and something go wrong with the truck and it's totaled. Schieweck stated they asked how do we want to receive the funds? Treasurer Shappee stated, a bank certified check made out to Kenockee Township. Chief Vincent stated he needs to know what the agreement of what is staying on the truck with the sale. Trustee Schieweck stated it is in the packet given to you with a description at the bottom of what is staying on the truck.



Clerk Hill requested that when they do send the Certified Bank Check if they could please send it Certified Mail with Signature Received this way they know it was received by us. Chief Vincent asked if the new truck has to be here prior to the old truck being sent out? Treasurer Shappee stated, that the new truck has to be in service. In service not here on property.

Fire Chief job posting and requirements: Chief Vincent stated, this is just my suggestion to the board that you definitely put an ad posting for the position. I would accept applications. I sent via email to Clerk Hill and some of you the new state requirements to hold a Chiefs position. Treasurer Shappee inquired, when do those go into effect? Chief Vincent stated, they are in effect now. He stated, that the requirements state that you must hold fire 1 and have to obtain fire 2 within a year and then you have 36 months to obtain Instructor 1, Fire Officer 1 and Fire Officer 2. He stated that he holds Company Officer 1 and Company Officer 2, which are the old version of Fire Officer 1 and 2. He is awaiting confirmation from the state to confirm if they are the same or different. He stated he will forward copies of the rules and guidelines to hold a chief position. He stated that he strongly suggests to the board that the board post the position, take applications and interview process. He feels that is what is fair for the township residents. Supervisor Molesworth stated, that he would like to have background checks on all applicants. Even though they've been on a department. Treasurer Shappee agreed. Chief Vincent stated, that background checks could be done with Central Dispatch with the County or I-chat. Treasurer Shappee stated that we had this question at our meeting. It says, such temporary appointments shall terminate when the officer with the given responsibility becomes available. She stated that when James Vincent came back that everyone should have gone back to their original position. She stated that Jim should technically have assisted in appointing the assistant chief. Everybody should have fallen back. Supervisor Molesworth stated, that when we appoint a new chief next month that's what will happen. Treasurer Shappee stated, that she is concerned that since we didn't follow our ordinance, because Keith Fones did state that he was interested in that position. She stated, the we have violated that ordinance. Supervisor Molesworth stated, which position? Treasurer Shappee stated, the interim assistant chief and Keith Fones was the next person in line. Trustee Schieweck stated, but when Jim came back, he was the assistant chief? Treasurer Shappee stated, yes, but once he was bumped up, he should have an input to who the assistant chief was to be. Supervisor Molesworth stated that he feels we should just handle that next month with a new chief. Treasurer Shappee stated, we can, but I just want to clarify how we're doing it. Clerk Hill asked Chief Vincent, did you or did you state at that time at that meeting that you wanted to leave everybody the way it was at that point? Chief Vincent responded, yes, that's the consensus with the officers through the interim process and we've accepted things as is.

Treasurer Shappee stated, that we have to follow the rules. Supervisor Molesworth stated, that you've talked about the board having access to fire files. He stated that it states in the rule that members of the public will be allowed in the fire station only when accompanied by a member of the fire department. So, you can give us a pass code, but we should have someone with us when we enter. Resident stated, that you are not necessarily a member of the public. Treasurer Shappee their right. Supervisor Molesworth stated he wasn't so sure. Treasurer Shappee asked if everything he was discussing tonight was it in written form? Supervisor Molesworth stated, that where you discuss the officer duties, we will want to incorporate that in the ordinance, because it lists only the chief's duties and does not list the other officer duties. Chief Vincent stated, that he has a long list of things that need to be updated in the ordinances for us to be in compliance with a lot of things. Treasurer Shappee stated, that we are trying to obtain and put together something to vote on and then gradually amend and update. Chief Vincent stated that they will definitely make suggestions to the board regarding the ordinances, but you are the one who makes the ordinances. It is important to get the ordinances clean up and updated such as: job descriptions, detailed hiring process such as background check, probationary period. So that when you all retire and the next board steps in, they will have a current ordinance. Supervisor Molesworth stated that the copy we have tonight is the one we are going to go with and we will mend that one. Treasurer Shappee stated that we would also like to know if you could look at your SOG/SOPs for the date of the ones that you're actually using at the fire hall. Supervisor Molesworth asked if Chief Vincent had one? Chief Vincent stated that he has 3 copies of them at the hall. I have the original ones in the binder from when I wrote them for Brad Vermeersch twenty years ago. I have what I call the binder copy (thick copy) everyone was issued this during Keith Berg time. Treasurer Shappee stated, we're going to take and copy them all and everyone will be issued them and have to sign they received their copy. Chief Vincent stated that there is a 3<sup>rd</sup> set that he has on a flash drive. Supervisor Molesworth stated that those were never incorporated. Chief Vincent stated that the one from the attorney has to be the one on the flash drive. He stated, but those still have it where there are two stations and everything is a mess. Treasurer Shappee stated, that we are going to adopt what you currently have and then the fire committee is going to take it section by section. Clerk Hill stated this is to try and get it all updated gradually. Treasurer Shappee stated, not the whole book at once. Chief Vincent stated that he wanted to say that he has a healthy respect for the Chief position and the amount of work that it entails. Also, on my agenda was the interim officer job descriptions, I have them. I will get you a copy of them. Chief Vincent stated, that it is his understanding that his 60-day interim ship is still in place, and if the board needs to extend the interim ship, I will be happy to do that. However, I feel it is appropriate to post the position.

Treasurer Shappee stated, that when I was signing payroll checks I noticed that there is a spot for you to sign off on it. Brenda or I could make a mistake. Should this come back to you to verify the paychecks prior to them being handed out. Chief Vincent stated, that he has made a payroll discrepancy form, so if anyone has an issue, they can fill it out for correction. Then they would get the adjustment next month. Treasurer Shappee stated, that they wouldn't have to wait until next month, because that is part of our post audit policy. They won't have to wait.

Clerk Hill asked, you stated earlier that you had just finished a FOIA request. Was payment received or was it within the no charge category? Chief Vincent stated that he would love to have a copy of the FOIA rules. Treasurer Shappee stated, that Supervisor Molesworth is in charge of FOIA's. You have to talk to him. Chief Vincent stated that no payment was requested on the FOIA by the department. Chief Vincent stated that he has received some of the cost and recovery bills back return to sender. What should I do with them? Treasurer Shappee stated, that they would come to her. She stated that she volunteered to become the collection agency. The must be sent certified mail.

Supervisor Molesworth stated that we need to get the fire chief job posting listed and an ad for the two positions for the fire committee. We have lost 2 people in the last 3 months. We've lost Jerry Nuss and Rick Francek. Trustee Schieweck stated, that he thought Jim Muldoon was on the fire committee. Jim Muldoon stated, I thought so too. Supervisor Molesworth stated that is still not enough, we need two more people. Clerk Hill stated, that with these job postings I would like you to get me the information of what you want in the posting for Chief. Supervisor Molesworth stated, that they will discuss the posting information at the fire committee meeting tomorrow. I will get that information to you. Trustee Schieweck stated that I feel we need to extend Chief Vincent's time now since we are not going to have the time to post, receive applications and interview prior to November's meeting.

**Motion made by Treasurer Shappee, 2<sup>nd</sup> by Clerk Hill to extend the interim fire department chief positions for thirty days. Motion Passed. 5-0.**

**Motion made by Supervisor Molesworth, 2<sup>nd</sup> by Clerk Hill that an ad be placed for the 2 positions on the fire committee board. Motion Passed 5-0.**

Clerk Hill inquired if Supervisor Molesworth would like the Fire Chief Position posted in the Yale Expositor and Times Herald. Supervisor Molesworth advised, yes. Clerk Hill advised she will post the chief position once she receives the information from him. Treasurer Shappee will post the position on the township website.

Treasurer Shappee stated, that prior to posting anything job related on Facebook, could someone please verify the social media rules with MTA. Trustee Schieweck stated, he would make contact with them.

Resident Patty Lossing stated to post the township website on the Avoca Community page to let people know it is available. Trustee Schieweck stated, he would post it on the page.

Resident Theresa Wawrzyniak inquired as to what is the website? Treasurer Shappee stated, [www.kenockeetownship.gov](http://www.kenockeetownship.gov) It is still a work in progress. But it looks great.

Supervisor Molesworth asked about the gasoline tank outside the fire hall. Treasurer Shappee stated that we are wasting a lot of money on this. We spend \$720 a year on just tank rental. Clerk Hill stated, that's just rent not even including all the additional fees. Treasurer Shappee stated, that every neighboring fire department goes to the gas station. We would have to get it set up to use a card. We could you the Marathon in Emmett, Yale, Wadham's. Chief Vincent stated, that it was agreed upon by the officers that the gasoline tank could be removed once empty, however, they all feel the diesel tank is very much needed. Treasurer Shappee stated, that we are starting with the gas tank only at this time.

Trustee Schieweck stated that the parks and recreation would need a fuel card next year. Treasurer Shappee advised Supervisor Molesworth that we should do a fuel card. The bank when asked about getting a credit card stated that they see a lot of problems, townships don't do credit cards. This card could be used elsewhere and you can limit a fuel card to just fuel and oil purchases.

**Planning Commission:** given by Jim Muldoon. He stated that the Master Plan Focus Group meets on October 27<sup>th</sup> at 2:00 p.m. is for the municipalities. November 2<sup>rd</sup> at 7:00p.m. intended for community as a whole. November 5<sup>th</sup> at 10:00am for local businesses and additional community.

Jim Muldoon stated that the planning commission is developing a cost fee structure for special land uses. Primarily focused for grow facilities as a type 2 home occupation. It is a draft. We also, have a draft ordinance that they are looking at for grow and I have sent a copy of the draft of the sidewalk ordinance. He stated that they have received an inquiry for the property next to the funeral home. Ted Werner is looking to put up a shop on the property for his business. The property is currently zone as residential but it borders general business which is borders to neighborhood business and across the street from industrial municipal. It would be very simple to rezone the property and then go through a special land use plan for the electrical shop.

Clerk Hill inquired as to when the planning commission was holding there November meeting. Jim Muldoon stated, that it will be held on Tuesday, November 1<sup>st</sup>, 2022. Jim Muldoon stated he will be out of town on October 27<sup>th</sup>, November 1<sup>st</sup> and November 2<sup>nd</sup>.

**ZBA Report:** None

**Parks and Recreation Report:** given by Joshua Schieweck: None

Treasurer Shappee asked Clerk Hill if she received anything back from the insurance company about coverage needed for parks sports program. Clerk Hill advised she has only received the email that was forwarded to her asking for further questions to be answered. Treasurer Shappee advised Trustee Schieweck that the applications for the kids to play in the sports programs will have to be now signed stating that they will be liable for injury, accident etc.

Treasurer Shappee stated that we are getting clarification if the township has enough coverage for hockey etc. She stated, not to go into a hockey season prior to us being notified back. Trustee Schieweck stated that there was not going to be a winter program this year.

Trustee Schieweck stated that on Friday, October 28<sup>th</sup> 2022. From 5:30p.m. to 8:00p.m. the parks will be holding a Trunk or Treat at the parks. There will be a haunted house. This is open to the public and businesses.

**Old Business:**

**Audit:** Treasurer Shappee stated that our letter was incorrect. We were advised by King and King to submit the letter to ask for the extension. This was not true. We received email notification of the state receiving our letter and to advise us that we should have filed this on line in order to ask for an extension. They stated that they can not accept our letter. However, the on-line extension request must be submitted prior to the original audit date. Treasurer Shappee stated, that Brenda as my witness I have left 3 voicemails to the state and have yet to receive a response back. She stated, that she emailed the person stating that they couldn't accept our letter, the revenue department and the audit department along with cc and Brenda on the email. We still have not received any notification back from the State of Michigan. But we are having an audit with King & King on 10/26/22 at 7:00 a.m. So, we're not under an extension but may just be considered late.

**Financing the New Fire Truck with Tri County Bank:** Supervisor Molesworth advised that he called Tri County. He stated that they need something in the minutes stating that the Supervisor and Clerk are authorized to sign the finance agreement. Clerk Hill inquired isn't that already in the previous minutes when we decided to go with Tri County.

**Motion made by Treasurer Shappee, 2<sup>nd</sup> by Trustee Schieweck giving Supervisor Molesworth and Clerk Hill authorization to sign all loan agreement documentation for the financing of the new township fire truck. Roll Call Vote: J/Y, S/Y, H/Y, M/Y, S/Y 5 Ayes 0 Nays Motion Passed 5-0.**

Supervisor Molesworth stated that there is \$106,719.99 in the Capital Fund account. He stated that \$105,000.00 will be used towards the down payment of the fire truck. He asked Tri County that if we want the money that we receive from the sale of Truck 35 we could apply it to the principal. Treasurer Shappee stated, no you should replenish the account you're depleting. Supervisor Molesworth stated but we have the CD. Treasurer Shappee stated that it is not matured yet. Do you want loose everything? So, you need to place the sale money in the bank account just in case another piece of equipment should need repairs. You have accessible money. When the CD matures then go and put that amount on the principal. Supervisor Molesworth stated that they will discuss it further at the fire committee meeting.

**St. Clair County Distribution of Milage funds to Tri Hospital EMS Agreement:** Supervisor Molesworth stated that the agreement states that funds that are collected on behalf of Tri Hospital EMS.

**Motion made by Clerk Hill, 2<sup>nd</sup> by Treasurer Shappee to accept the St. Clair County agreement regarding ambulance milage funds distribution. Roll Call Vote: H/Y, S/Y, H/Y, M/Y, S/Y 5 Ayes 0 Nays Motion Passed 5-0**

**Motion made by Treasurer Shappee, 2<sup>nd</sup> by Trustee Hawks to accept the Tri Hospital EMS Agreement as presented to the board. Roll Call Vote: H/Y, S/Y, H/Y, M/Y, S/Y. 5 Ayes 0 Nays Motion Passed 5-0**

**School Traffic on Willow St:** Township resident Patty Lossing addressed the board advising that we are the 3<sup>rd</sup> township board in ten years that have been approached about issues on Willow Street and by the school. The traffic has caused a concern for the safety of students and residents due to the large volume of traffic. The last board that she approached they were addressed about the speed limit of 25 mph. Which we can say is way to fast for the short roads and those who walk, ride bikes. The drivers are not paying attention while talking on their phones. She stated she sees them doing this all of the time as they are coming into the school area and by a cross walk. She stated that she previously called MDOT herself and was advised that the easiest way to take care of this issue with the traffic and congestion was to black top it and make it a one way. She stated that she was advised if we black topped the road it would automatically lower the speed limit to 15 mph because it's a school area if we did a one-way loop. She presented maps of the streets to the board. Supervisor Molesworth stated that if you have speeders now wouldn't paving the road make it more of a race way. She stated, no. Supervisor Molesworth asked why does it have to be black topped in order for it to be one way. She stated, that was she was advised by MDOT.

Supervisor Molesworth stated that he has spoken with the County about making the roads one way. He was advised that he should meet with someone with the county and sit out there to watch the traffic. Clerk Hill stated, they can sit in my father's back yard. It's a race way. He stated, the MDOT has nothing to do with these roads.

Treasurer Shappee stated that the one corner is dangerous in itself. Clerk Hill stated, that the buses are not supposed to go down Elm Street due to the drains that run under Elms. Ms. Lossing stated, that Brenda you remember when the buses came in main street and went out the same way. Treasurer Shappee stated she agrees it's a major problem. Supervisor Molesworth stated that the township can not afford to pave the roads. Treasurer Shappee stated that maybe we need to check again with MDOT to see if a road must be paved in order for a lower speed limit or one-way status and go from there.

Treasurer Shappee asked if the semi-truck was still parking on Willow Street. Ms. Lossing stated that he comes in on the weekends primarily. Treasurer Shappee stated that it is still a safety hazard. Ms. Lossing stated that the truck doesn't have to do with this problem. She stated that she has been a taxpayer for 28 years and doesn't appreciate having to time her exit strategy to avoid being stuck in her driveway due to the grid lock traffic. The parents will not let us in or out of our driveways. She stated that the school doesn't feel they have any responsibility. The school has it set up with the loop of dropping off the kids instead of the parents having to park and let the kids out. Supervisor Molesworth stated that if we could make it a one way It would help things a lot. She asked the roads are being destroyed by the traffic, would it be cheaper for maintaining if it was black topped compared to what we are paying now. Supervisor Molesworth stated that just to pave down to the corner at Willow it would cost \$100,000.00. Ms. Lossing inquired if it could be a milage? I don't think the township of Kenockee would mind. Trustee Schieweck stated, the residents in town may not mind the milage. However, the township residents will. Treasurer Shappee stated they don't care about any of the in-town things that need to be addressed only ditching and taking care of their area of roads.

Clerk Hill stated that her father has been stating for years that the school should put in their own private driveway. Maybe they could come in off of Kilgore Road and put one there. Supervisor Molesworth stated there may be a problem with the lagoon. Clerk Hill stated, the buses destroy the roads in town. Treasurer Shappee stated, how do we prove that the buses are responsible for the road in town. Trustee Schieweck stated that the gravel in town made it through the whole summer. Then when school opened up, we no longer have gravel on the roads. Treasurer Shappee stated, that they have bonded the roads. Why can't something be done like that with the buses. Supervisor Molesworth stated, he thinks they got rid of the road bonding. Supervisor Molesworth stated he will start looking into seeing if he can meet with the county and see what we can do to help resolve this problem. Trustee Schieweck stated, that maybe we can get the school involved with this problem.

Ms. Lossing asked that if someone from the board could contact the school and ask them to direct the traffic to the right out of the school to help make the flow better. Trustee Schieweck stated that he could try speaking with them at the school. Ms. Lossing stated that communication being done will make the residents feel like the board is concerned. Supervisor Molesworth stated, that he will contact the road commission to see if we can't look into a solution to fix the problem.

**Kenockee Township Sidewalk Ordinance** Supervisor Molesworth stated that the grant he is applying for to replace the town sidewalks is requesting an ordinance showing responsibility. Clerk Hill stated how does MDOT work with this ordinance. Treasurer Shappee stated that she doesn't like where it states the property owner is responsible when her sidewalk is already junk. If you give me a new sidewalk and then make me responsible. She stated that if she had a working sidewalk I could understand, but that is not the case. But this not what the ordinance states. She stated if you're giving me junk don't hold me accountable. Clerk Hill agreed and stated, she would like to see that this ordinance be discussed further. Jason Rottmann stated, that can't you just word it to state new sidewalks not old existing sidewalk or once the sidewalk is completed. Treasurer Shappee stated, why couldn't we have a sidewalk assessment to cover maintenance fund instead of people being held responsible to pay for them, when they didn't do the damage to them. You don't have control over what the public is doing. I'd rather see a minor assessment on my tax bill that is a sidewalk maintenance fund verses me having to be responsible for the public who may destroy the sidewalk. I just don't agree with that. Jim Muldoon stated that for (1) it applies to the entire township and doesn't single out just Avoca residents. (2) there is a provision where the township pays the total cost of township owned properties and those sidewalks not built on property owners property. MDOT is not on my property, the Avoca sidewalk. What this establishes is it give the township authority to implement the sidewalk and work on the construction, repair and maintenance of the sidewalks. After you have the ordinance now you can go in and put the assessments in, because we don't have standards or anything else to go along with it. Your ordinance isn't there to do that it's to empower you to implement the sidewalk ordinance to put in your grants. How much of the roads and milage and drainage milage is going to apply to this, you are going to have to come up with that. But it gives you the power to do it. Treasurer Shappee stated, but this is not stating any kind of milage, it's stating any expense to be charged against any premise shall be established and collected as provided for single lot special assessment. She stated that means I'm paying for the whole stretch in front of my property even if I had no part in damaging it. Jim Muldoon stated that it doesn't say that, it doesn't say that, a single lot assessment. It doesn't specify the details of that assessment. That hasn't been established. What is does provide is the board the opportunity to apply for the grant. Because if we don't have an ordinance we can't apply for the grant. Trustee Hawks asked, so if we send this in, we can amend it later? Treasurer Shappee stated, that it is sort of contradicting.



Supervisor Molesworth stated, so they have two different reviews involved in this process before it's even approved. Jim Muldoon stated, that they are not going to review our actual ordinance. Trustee Hawks stated, they just want to know if we have it. Jim Muldoon stated, they just want to know if we have an ordinance in place. We have to have one that specifies how the township is going to do the accountability. Clerk Hill stated, that you have 1 or 2 or 3 or 4 don't you have to have specify what our rule is? Jim Muldoon stated, that comes later, it's the rules of engagement of implementation. Supervisor Molesworth stated, this is a means to an end. So once our ordinance is in place than we can determine how the responsibility and accountability is determined. Clerk Hill asked that the sidewalk ordinance remain on the agenda for next month. Supervisor Molesworth stated, it will remain on the agenda.

**Motion made by Trustee Schieweck 2<sup>nd</sup> by Supervisor Molesworth to approve the sidewalk ordinance as presented. Motion Passed 3 Ayes 2 Nays. Motion Passed 3-2**

**Special Meeting to amend the budget:** Supervisor Molesworth stated, that he would like to request a special meeting to review the budget to correct any discrepancies that way this can be amended at the next meeting. Treasurer Shappee stated, when would you like to meet. We have an upcoming election, audit and the town focus group and the trunk or treat. Supervisor Molesworth stated, that he will keep this on the agenda for next month.

**November Board Meeting:** Supervisor Molesworth stated, due to the election our township board meeting will not be held on November 8<sup>th</sup>, 2022, but we will hold it on Thursday, November 10<sup>th</sup>, 2022.

**Motion made by Supervisor Molesworth, 2<sup>nd</sup> by Clerk Hill to move the November 8<sup>th</sup> board meeting to November 10<sup>th</sup>, 2022 at 7p.m. Motion Passed 5-0.**

**Approval of the Township Bills:**

Township Bills: \$16,684.70

Fire Department Bills: \$4,049.54

Parks & Rec's Bills: \$1,932.39

**Motion made by Trustee Hawks 2<sup>nd</sup> by Trustee Schieweck to approve the payment of the bills as amended. Roll Call Vote: S/Y, M/Y, H/Y, S/N, H/Y. 4 Ayes 1 Nays Motion Passed 4-1.**

Supervisor Molesworth announced that he was just notified by Jerry Nuss that he is resigning from his position on the BOR and Fire Committee. He stated that due to the time we will table further discussion until the November board meeting.

**Correspondents: None**

**Motion made by Trustee Schieweck, 2<sup>nd</sup> by Trustee Hawks to adjourn the meeting. Motion Passed 5-0**

**Meeting Adjourned at 10:08p.m.**

Minutes prepared by: Clerk Hill