

Regular Meeting of the Burt Township Board

July 11, 2006 – 7:00 p.m.

Attendance: Lee Durrwachter, Kay Wampler, James Seibert, Gordon Kniss, Lois Leavenworth – **Citizens:** approx 100

Supervisor Lee Durrwachter read his resignation letter, tendered it with the Clerk and promptly exited the building; **Motion** by Kay Wampler, second by Gordon Kniss to accept the resignation – 4 ayes.

Motion by Gordon Kniss, Second by Lois Leavenworth to appoint Kay Wampler, Clerk to moderate the meeting – 3 ayes, 1 abstain.

Approval of the Agenda: The Board proceeded to review the agenda and delete several items added by the Supervisor for which the board had insufficient knowledge, added posting the supervisor position, and offered to hold a special meeting to address the items deleted within the week. **Motion** by Lois Leavenworth, second by James Seibert to approve the agenda as amended. 4 ayes

Introductions/Comments/Questions and Answers: Jim Isleib, MSU Extension Service announced that he extension has a proposal on the ballot in August and explained the need to the public. No other comments were offered at this time.

Correspondence: Letters Read – **Paul & Sue Bennett** – offer to purchase recorder and have all township board meetings recorded; **Jerry Spencer** – Fireworks damages; **Otto Bufe** requesting any and all information on the harbor project/efforts; **Doug Sharp** – requesting permission to add signal device class to the GLSKS; **Peter Dame** – suggesting the zoning be changed to 36 ft rather than 26 ft height of houses on Canal/all of Burt Twp.; **Pat Grasser** – request investigation of records regarding vacating alley between her two properties.

Reports: Mike Beek – DPW and Water Dept Mgr, & Sheri Shafer – Park Manager all presented their reports to the board – on file in the Clerks office. The Clerk gave a report on the status of the Fuel System program and Web Site. Treasurer Seibert gave a brief explanation as to the reason tax bills say “tentative” and some taxpayers are getting a second bill. Ambulance Crew offered Aimee Harju to report on the availability of ALS (Advanced Life Support) to intercept our ambulance crew in-route at a cost of \$225 per occurrence and billed to Burt Township Ambulance service which could then be billed on to the patient.

New Business: A) John Underhill – FOIA Request: Attorney John Underhill announced his intent to file a claim against the board on behalf of the taxpayers in relation to the IRS problems. Mr Underhill made a very informative presentation to the community and the board and offered up several options available for resolution. He also offered a list of Motions for consideration to begin action. **Motion** by Gordon Kniss, second by Lois Leavenworth to pass all 9 proposed motions and accept Mr Underhills offer of legal aide on a pro-bono basis – 3 ayes, 1 abstain. The motions are as follows: 1) Direct all officers to, for a period of 6 months, preserve all existing Township records of ANY kind in any way involving Township business; 2) direct all officers to immediately deliver all Township records to the Township office that they may have a home; 3) direct all officers to inform the Township Clerk within 24 hours whether they have any records at home that may be on computer so that arrangements can be made immediately to download/copy any such material to be delivered to the Township office; 4) Direct that an independent accounting by an outside accountant be immediately performed as to all income and disbursements of all money for the past 5 years; 5) Direct the clerk to report at the next meeting as to who may be available as an independent accountant to perform the accounting so that a decision can be made immediately to hire someone to get it done; (This should not be done by the supervisor); 6) Direct the clerk to immediately send letters (I will help, if asked) to put the following insurance companies on notice of the Township claim(s) for the following individual’s failure to perform: a) the bonding company for the bond for the past clerk, Lori Savage; b) the bonding company for the bond for the treasurer, James Seibert; c) The township’s general liability policy for any “wrongful conduct” coverage available; and d) the township’s auditing firm who performed the audits for the past 4-5 years. 7) Direct that an investigation immediately be undertaken by the board itself by directing the Township attorney to immediately have subpoenas issued to the following people compelling their testimony under oath at a special board meeting to be held within the next 30 days: a) Lori Savage, past clerk; b) James Seibert, the treasurer.; c) Lee Durrwachter, the supervisor; and Lori Hill, the IRS investigator who has records of all past contacts by and between the IRS and Township Officers. 8) Accept the treasurer’s resignation. 9) Direct the supervisor to explain at the meeting any and all details surrounding the loans recently obtained that constitute an indebtedness to the Township and how it was done without voter approval. **B) Petitions:** Mr Underhill was prepared to present a petition requesting the supervisor’s resignation. The petitions were withdrawn. **C) Planning Commission Recommendation on Rental Property:** Sherri Bates, Zoning Administrator noted that she would like the Zoning Admin’s and the Planning Commission to meet before the Board takes any action on this recommendation. Other: Post Supervisor’s position: **Motion** by Lois Leavenworth, second by James Seibert to post the position of Supervisor as necessary, immediately – 4 ayes.

Unfinished Business: A) Follow-up on Lois Kinlaw FOIA Requests for Insurance & Bond Claims – Lois withdrew her request as long as John Underhill is taking care of it **B) Loan Resolutions** – Documents are not on file with the clerk – the clerk is requesting copies from the bank. **C) Well Resolutions:** STS Consultants provided 2 resolutions (1 change order, 1 request for payment) to be voted. – **Both resolutions were approved by roll call vote with 4 ayes, 0 nay’s.** Copies are on file with the Clerk. **D) Auditor Letters** – the letters are in the hands of John Underhill for review prior to our signing. **E) Site Condominium Ordinance Recommendations/Discussion** – **Motion** by Lois Leavenworth, second by Gordon Kniss to table - 4 ayes.

Appointments/Resignations/Applications – James T. Seibert, Treasurer read his letter of Resignation to be effective August 31, 2006, **Motion** by Lois Leavenworth, second by Gordon Kniss to accept Jim’s resignation with regrets – 3 ayes. **Motion** by Lois Leavenworth, second by Gordon Kniss to post the position of Temporary Supervisor and Treasurer superseding the previous motion

by Leavenworth/Seibert– 3 ayes, 1 abstain We considered hiring John Underhill as Township Attorney, need to check the contract with the current attorney of record first.

Approve Minutes of Previous Meeting: Motion by Jim Seibert, second by Lois Leavenworth to approve the minutes of June 24/29 as presented – 4 ayes

Acceptance of Treasurer’s Report: Clerk accepted Treasurer’s Report subject to audit.

Payment of bills: Motion by James Seibert, second by Lois Leavenworth to pay the bills as presented/corrected – 4 ayes

Public Comment: Clerk reminded of items set aside during correspondence for action: **Motion** by Lois Leavenworth, second by James Seibert to add a plaque on the Veteran’s Memorial for Keith Nyman and to have one for Kirkens’ corrected, paid out of Township Improvement – 4 ayes. **Special Meeting set to hear subpoenas on August 19th at 10:00 a.m. at the Community Center.** Lois offered to appoint Gordon Kniss to approach Lee Durrwachter to recover township properties – Gordon agreed. **Motion** by James Seibert, second by Lois Leavenworth authorizing Kay Wampler and Evelyn Morrison to sign the agreement with Helen Newberry Joy for the ALS program as reviewed by John Underhill – 4 ayes. Some concern over health insurance to employees was brought up – Clerk offered to revisit it and see where we are at a later date.

Adjournment: Motion by Lois Leavenworth and seconded by James Seibert to adjourn the meeting at 9:00 p.m. – 4 ayes

Respectfully submitted: July 14, 2006,

Kay L. Wampler, Township Clerk

Date Approved: _____, 2006

Motion by _____, second by _____ ~ _____ ayes, _____ nay’s