

March 2022 Special Meeting

The New Haven Township Board met on March 30, 2022 at New Haven Township Hall located at 2705 Easton Rd Owosso, Mi. The meeting was called to order at 8:15pm by Supervisor Hill, with the Pledge of Allegiance.

A roll call was taken. Members present: Trustee Buginsky, Treasurer Eickholt, Supervisor Hill, and Clerk Wirwicki. Absent: Trustee LeCureux

Guests: Russ Wing, Lorna Matthews, Dennis Matthews, Helen Smolek, Ken Smolek, M Smolek, N LeCureux, Fred Gray, Collen Horton, Adam Flory, Teri Senk, and Larry Senk.

Call to Public:

None.

Business As Stated in Special Meeting Notice:

Treasurer Eickholt asked about the numbering of the resolutions. The Resolution proposed was resolution number 2022-07. Clerk Wirwicki explained that all resolutions whether passed or failed were assigned a number and recorded in the resolution book. All failed resolutions had the wording FAILED written on the resolution.

Supervisor Hill read Resolution number 2022-07 Resolution to Adopt General Appropriations Act.

Treasurer Eickholt brought up a concern she had. Reporting was not included in the document. She asked for reporting to be included in the document and it was not included.

Trustee Buginsky shared the same concern stating reporting is hit and miss.

Clerk Wirwicki remarked that reports were given every other month on the even months as agreed upon by the Board.

Supervisor Hill motioned that the Board adopt the General Appropriations Act.

Clerk Wirwicki wanted discussion with the Attorney on the Act before adopting. She asked how long he worked on the document for the township. Attorney's response was an estimate between 5 to 7 hours between drafting, editing and phone calls however he has not added up the time sheet. He response is a guess.

Clerk Wirwicki asked the Attorney if he reviewed the original document that was brought before the Board. His response was yes.

Clerk Wirwicki asked the attorney if everything in the original document legal. The attorney's response was that everything in the original document appeared to meet the requirement of statute MCL 145.435, most of what was worked on was internal policy preferences and board desires.

Clerk Wirwicki asked if anything was missing from the original document that should have been in there. The attorney's response was there was nothing missing that was required by statute.

Clerk Wirwicki then stated at the March 14th meeting, after the Board hearing was done, did the not approve the budget numbers? A motion by... Eickholt interjected she made the motion. Buginsky agreed and noted she seconded the motion. Clerk Wirwicki finished her sentence with approving all expenditures and Revenues. The attorney agreed that he believes the Board approved the budget numbers, but wanted to point out that he was asked to modify the budget expenditures. He was asked to reduce the Supervisor's proposed salary and the Assessor's proposed salary. He stated a second motion to reduce those amounts would be needed as a procedural matter. Clerk Wirwicki stated she finds this troubling because if Allen does come back he can vote on the

March 2022 Special Meeting

Assessor's salary increase which is a tied vote. If he votes yes, then the Assessor's wages are at \$10,000 not \$9,000 as it's stated right now. Clerk Wirwicki stated that number should not have been changed.

Clerk Wirwicki stated she found it troubling that the numbers were changed without going through the proper process first. The proper process is to have Board discussion, then vote to make the change, not make the change then ask for Board approval. The Clerk advised the Board she would not adopt the document with the budget changed from the previously approved numbers. Treasurer Eickholt stated she didn't care if the numbers were changed back to the approved numbers and allow the Clerk to have a win.

Buginsky asked if there was anything wrong with the document other than that Clerk Wirwicki doesn't like it. The attorney responded with a story about another township not doing any of this process and our township has worked hard to create a document that addresses everyone's issues.

Clerk Wirwicki asked why all the funds in Section 4 had the wording "and miscellaneous revenue" after the stated tax amount collected except the General Fund. She said lack of wording for the General Fund compared to the other funds could make people think the revenue was solely through taxes. The attorney agreed to add the wording "and miscellaneous revenue" to the general fund part of section 4 to make all fund accounts in section 4 uniform.

Trustee Buginsky asked if the salaries are able to be changed throughout the year. She thought the salaries had to be adjusted before the state of the fiscal year. The attorney responded he believes the salaries have to be adjusted before the fiscal year begins, but would look at the statute and get back with us on the answer. Buginsky stated the budgeted numbers for the Supervisor and Assessor cannot be raised in two days so changing the amounts to the originally approved amounts is a moot point. The attorney said again, he will look into the statute. Buginsky stated, if you are going to make the correction, and those salaries are set as of April 1st, then this document should reflect what those salaries are and what that money is.

Clerk Wirwicki asked if the assessor's wages are retro to April 1st if Allen votes yes upon his return or does it begin when he votes. She stated it was her understanding the salary would be retro to when the resolution was presented and voted. The attorney will look into that question as well.

A motion by Supervisor Hill, supported by Treasurer Eickholt to adopt the General Appropriations Act as amended. (The unapproved budget numbers were replaced with the March 14th approved budget numbers and the words "and miscellaneous revenue be added to Section 4 in the General Fund paragraph.) A roll call was taken. All ayes. Motion Carried.

Supervisor Hill moved to the topic of the Rowell Zoning Issue.

One ~~resident~~ **property owner** complained that the location of the new house was causing his property to flood to due a ditch being plugged up. The ~~resident~~ **property owner** also commented the building is being placed close to the property line and questioned the distance required.

It was noted that the property was not split the land division was denied. It is a 46-acre lot with an arguable buildable lot after the original property split. It was noted that in 2018 the Shiawassee County Community Development determined that the parcel is not eligible for any more single-family residential dwellings.

March 2022 Special Meeting

A motion by Supervisor Hill, supported by Treasurer Eickholt to end the special meeting and move into closed session at 9:09pm to discuss written legal opinion which is material exempt from disclosure. A roll call was taken. All ayes. Motion Carried.

Supervisor Hill adjourned the closed session and returned to the Special meeting at 9:30.

A motion by Supervisor Hill, supported by Clerk Wirwicki to allow Attorney Flory to file an appeal with Circuit Court from the County Zoning Board of Appeals decision in the manner of Rowell and seek an injunction. **A roll call was taken. All ayes. Motion carried.**

Business Not Stated in Special Meeting Notice:

A motion by Treasurer Eickholt, supported by Trustee Buginsky that we have regular financial statements just for General Fund every two months beginning with the April 1 fiscal year. (Later Treasurer Eickholt clarified that it is requested the reporting be done on the odd calendar months.) A roll call was taken. Ayes: Buginsky, Eickholt, Hill. No: Wirwicki. Motion Carried.

Later in the meeting Treasurer Eickholt commented on the clerk voting no asking why. The clerk stated it was legally required to have periodic reporting and she didn't feel it necessary to have a motion for an item that's legally required. **Treasurer Eickholt stated that the motion was made to establish frequency.**

The next regular board meeting will April 11, 2022 at 7:00pm at New Haven Township, 2705 Easton Rd Owosso, Mi.

A motion by Treasurer Eickholt, supported by Trustee Buginsky to adjourn the meeting at 9:33pm. **A roll call was taken. All ayes. Motion carried.**

Respectfully Submitted,

Heather Wirwicki, New Haven Township Clerk