

AMBER TOWNSHIP BOARD MEETING

Amber Township Hall, Regular Session

October 25, 2021 6:30 p.m.

CALL TO ORDER: 6:30 p.m.

ROLL CALL- Present: J. Gallie, R. Alway, T. Alway, T. Rohde, Absent: C. Anderson

PLEDGE RECITED

GUESTS- None.

MASON COUNTY SHERIFF REPORT-None.

MASON COUNTY COMMISSIONER REPORT- None.

APPROVAL OF AGENDA- Motion to approve with right of chair to alter as necessary; as amended: Move: T. Alway /Support: R. Alway, Ayes-4/Nays-0.

APPROVAL OF MINUTES-

Motion to rescind the motion from the September 27, 2021 Clerk report to add Robert (Bob) Anderson from all bank accounts. Move: T. Rohde/Support: R. Alway, Ayes-4/Nays-0.

Motion to appoint Thomas Alway as designated Deputy Treasurer. Move: J. Gallie/Support: R. Alway, by roll call vote: J. Gallie: yes, R. Alway: yes, T. Alway: yes, T. Rohde: yes.

Approve minutes from September 27, 2021 regular meeting, as rescinding the motion regarding the appointment of the Deputy Treasurer - Move: R. Alway/Support: T. Alway, Ayes-4/Nays-0.

Approve minutes from October 18, 2021, special meeting- Move: T. Alway/Support: R. Alway, Ayes-4/Nays-0.

CORRESPONDENCE-Read and filed.

ASSESSOR REPORT-All going well. Mason County Equalization director is leaving soon and one employee is retiring at the end of the year.

COMMITTEE REPORTS

PLANNING & ZONING- Waiting on finalization of the County's Master Plan. Inquiring on a \$400 fee per amendment.

FIRE- No updates, next MCRFA meeting is Thursday, October 28, 2021.

DPW-No meeting.

STREET LIGHTS-All good.

ROADS- The Road Project with P.M. Township for the Meyers Road project will be done Wednesday, October 27, 2021, weather permitting. Amber township estimates there is under ten miles of gravel roads left in the Township.

ELECTIONS- November 2, 2021, special election is for a road millage for Amber Township. Absentee ballots applications sent out-448, returned to date-213 and 213 ballots mailed out, 145 which have been returned. Clerk hours this Saturday, October 30 at the hall from 8 a.m. to 4 p.m. and election set-up. Look for or order voting sign for corner of Amber/US-10.

HALL/GROUNDS- Received LED light bulbs through Consumers Power Co. Program, now need an electrician to bypass ballasts and install.

CEMETERIES- A couple of burials coming up. Received the \$1840 check from insurance company for storm damage.

TREASURER'S REPORT-None.

PAYMENT OF EXPENSES- Total of \$36,081.41. Motion to Approve: T. Alway/Support: R. Alway, Ayes-4/Nays-0.

SUPERVISOR REPORT- Received a recycling survey.

CLERK REPORT- Budget line amendment, Motion to amend Fire Protection/Hydrants from \$1500 to \$1600 and Contingency from \$20,000 to \$19,900. Move: J. Gallie/Support: R. Alway, Ayes-4/Nays-0.

OLD BUSINESS-

1. Dial-A-Ride (LMTA) Request - Wait until after road millage to discuss. Would like a copy of City of Scottville's agreement with LMTA.

2. FOIA Coordinator-Motion to approve the Resolution that designates the Clerk as the FOIA Coordinator pursuant to the Freedom of Information Act.: Move-T. Alway/Support-J. Gallie by roll call vote: J. Gallie-yes, R. Alway-yes, T. Alway-yes, T. Rohde-yes.

NEW BUSINESS-

1. Closed Session with Township Attorney as per session language-

Motion at 7:25 p.m. to go into a Closed Session by Supervisor Jim Gallie stated as follows: "I have requested the Township Attorney to prepare a Legal Opinion to inform the Commission about the legal options available to the Township regarding the Audit deficiencies. I received the Memorandum of Legal Opinion drafted by the Township Attorney, and pursuant to MCL 15.268, Section 8(h), I move to meet in closed session for the purpose to discuss and deliberate on the Memorandum of Legal Opinion submitted by the Township Attorney." Support: T. Alway, Roll Call vote: J. Gallie-yes, T. Alway-yes, R. Alway-yes, T. Rohde-yes. Ayes-4/Nays-0.

Return to Open Public meeting at 8:40 p.m.

Motion by T. Alway: "Upon discussion and deliberation on the Memorandum of Legal Opinion submitted by the Township Attorney regarding the Audit deficiencies, at the Closed Session, I move to address the deficiencies and issue a response to the auditor as drafted in the document submitted with this motion, and to further authorize the Supervisor, assisted by the Clerk, to research forensic audit services and report back to the Board." (Draft of CAP Attached) Move: T. Alway/Support: R. Alway, Roll Call vote: J. Gallie-yes, R. Alway-yes, T. Alway-yes, T. Rohde-yes. Ayes-4/Nays-0.

Motion by T. Alway: Motion to authorize the Supervisor and the Clerk to search for a Forensic Auditor to conduct a forensic audit of the township books, focusing on tax collection practices and deposits and transfers of funds. Move: T. Alway/Support: R. Alway, Roll call vote: J. Gallie-yes, R. Alway-yes, T. Alway-yes, T. Rohde-yes. Ayes-4/Nays-0.

Motion by T. Alway: Motion to authorize the Amber Township Attorney to Contact the Amber Township Treasurer to rejoin the board at the next regular board meeting on November 22, 2021. Move; T. Alway/Support: R. Always, Roll Call vote: J. Gallie-yes, R. Alway-yes, T. Alway-yes, T. Rohde-yes. Ayes-4/Nays-0.

2. Audit Findings and CAP discussion-

Audit findings were discussed. The draft of Our CAP response to the State of Michigan was amended and approved, and it was requested that the Township Attorney shall propose language to be included in the CAP response to advise the State of Michigan that the Board has approved the search and for a Forensic audit to be performed. Motion to approve: T. Rohde/Support: T. Alway, Ayes-4/Nays-0.

Motion by T. Alway: Motion to adopt and enforce the following recommendations given by the Township Attorney:

1. The appointed Deputy Treasurer, Thomas Alway will sign checks and make deposits on the general bank accounts.

2. All legal documents remain at the Amber Township Hall, for safety and also for access of the FOIA coordinator. Discuss adopting a policy for working The Treasurer to work in the hall office.

3. The Treasurer, C. Anderson is taken off all bank accounts at this time until the Forensic Audit is completed. Keep the two-party check signing in place with the Clerk and the Deputy Treasurer, following up with copies of receipts and balancing of the general bank accounts.

4. No personal equipment (computers, laptops, printers) should be used for Amber Township business. Amber Township should supply each office with the equipment needed, under their budget line and all such equipment shall be the property of Amber Township.

5. Discuss with the Mason County Treasurer if they will take over the two tax accounts, collect taxes for the remainder of the 2021 season and the collection of the full 2022 tax season through March 31, 2022.

Move: T. Alway/Support: R. Alway, Roll Call Vote: J. Gallie-yes, R. Alway-yes, T. Alway-yes, T. Rohde-yes. Ayes-4/Nays-0.

ADDITIONAL COMMENTS-

ADJOURN- 9:20 p.m.

Submitted by,

A handwritten signature in black ink, appearing to read "Theresa Rohde". The signature is written in a cursive, flowing style.

Theresa Rohde, Amber Township Clerk

Drafted October 26, 2021/Approved October 29, 2021