



REGULAR MEETING AGENDA
October 28, 2013

1. Call to Order, Roll Call of Council, Pledge of Allegiance and Invocation
2. Approval of Consent Agenda:
 - Approve the Minutes of the October 14, 2013 Regular Meeting
 - Approve the Bills to be Paid
 - Accept the Minutes of the October 17, 2013 AuSable River Center Meeting
 - Accept the Minutes of the October 21, 2013 DDA Meeting
3. Approval of Regular Agenda
4. Brief Public Comment on Regular Agenda Items (Two minutes per speaker)
5. Manager's Report
6. Unfinished Business:

None
7. New Business:

Library Board Appointment
Compensatory Time Policy
Return to Work Policy
Schedule Budget and Millage Rate Public Hearings
8. Public Acknowledgement (Two minutes per speaker)
9. Council Comments
10. Water and Sewer Budgets Overview
11. Closed Session to Approve Closed Session Minutes
12. Items for the Next Agenda
13. Adjournment

VILLAGE OF ROSCOMMON
Minutes of the October 14, 2013 Regular Council Meeting

President Erine Adams called the meeting to order at 7:00 PM. Members of the Council present: Erine Adams, Mark Larsen, Linda Mesler, Diane Lippert, Bruce Yannatta and Jesse Carlson. Absent: Marc McKee. Also present: Clerk Dawn Dodge, Manager Allen Lowe, Chris Fishell, Krista Tacey-Cater, Martin Graf, Earl Deloge and Todd Jansen. The Pledge of Allegiance was recited and an Invocation given by Manager Lowe.

SHERIFF'S REPORT

Deputy Beck gave the Sheriff Department's report.

CONSENT AGENDA

The council received a list of additional bills.

Moved by Larsen, seconded by Yannatta, to approve the Consent Agenda, including bills to be paid, with additions, in the amount of \$34,268.85. Ayes: Larsen, Yannatta, Mesler, Carlson, Adams and Lippert. Nays: None. Absent: McKee. The motion carried.

REGULAR AGENDA

Moved by Yannatta, seconded by Mesler, to approve the Regular Agenda. All in favor. Hearing no objections, the motion carried.

BRIEF PUBLIC COMMENT ON REGULAR AGENDA ITEMS

None.

MANAGER'S REPORT

Trustee Yannatta inquired about attorney fees from the Warner sign court case.

UNFINISHED BUSINESS

-SAW Grant Application

Martin Graf from Gosling Czubak was present to explain the SAW grant.

Moved by Mesler, seconded by Lippert, to approve the proposal from Gosling Czubak to submit a SAW Grant application to the DEQ on behalf of the Village in the amount of \$7,950.00 to be paid if the grant is awarded. Ayes: Larsen, Carlson, Mesler, Adams, Lippert and Yannatta. Nays: None. Absent: McKee. The motion carried.

-Selby Water Bill

Moved by Mesler, seconded by Lippert, to forgive 50% of the March water bill and all of the penalties and pay a total of \$995.31 contingent upon receiving the full payment within 30 days and signing a waiver of right to sue. Ayes: Lippert, Larsen, Adams, Mesler and Yannatta. Nays: Carlson. Absent: McKee. The motion carried.

NEW BUSINESS

-Todd Jansen

Questions regarding the Tin Fish.

-Cemetery Board Appointment

Moved by Yannatta, seconded by Mesler, to appoint Jesse Carlson to the Cemetery Board to fill Mike Butler's term. All in favor. Hearing no objections, the motion carried.

-Medical Insurance Plan

Moved by Mesler, seconded by Lippert, to accept the Blue Cross proposal from The Benefits Group for the Village medical and dental insurance carrier for 2014. Ayes: Lippert, Mesler, Carlson, Adams, Yannatta and Larsen. Nays: None. Absent: McKee. The motion carried.

-Approve DPW Director Hiring

Moved by Lippert, seconded by Yannatta, to offer the DPW Director's position to Greg Macintosh at a wage of \$20 per hour including the normal Village benefit package with a \$1 an hour raise after receiving his final license. Ayes: Yannatta, Carlson, Lippert, Adams, Mesler and Larsen. Nays: None. Absent: McKee. The motion carried.

-Budget Amendment

The council received a sheet regarding the budget amendment and explanations from Manager Lowe.

Moved by Lippert, seconded by Larsen, to amend the 2013 General Fund Expenditures from \$393,635.00 to \$414,635.00 and the Sewer Fund Expenditures from \$382,700.00 to \$408,700.00. Ayes: Adams, Larsen, Mesler, Lippert, Yannatta and Carlson. Nays: None. Absent: McKee. The motion carried.

PUBLIC ACKNOWLEDGEMENT

None.

COUNCIL COMMENTS

Trustee Larsen: Appreciates the applications for the DPW director.

Trustee Yannatta: The Village is busy on the weekends. Buy local.

President Adams: Thanked Earl Deloge for applying for the DPW position. The farm market is winding down. KCC is interested in using the CRAF Center gym for their basketball games if the floor is fixed. The Chamber of Commerce meeting at Fred's is October 22.

GENERAL FUND OVERVIEW

Manager Lowe gave a Power Point presentation.

ITEMS FOR THE NEXT AGENDA

Manager has a list.

Moved by Mesler, seconded by Lippert, to enter into closed session to consider the purchase of real property at 8:35 PM. Ayes: Larsen, Yannatta, Mesler, Carlson, Adams and Lippert. Nays: None. Absent: McKee. The motion carried.

Moved by Carlson, seconded by Mesler, to return to Regular Session at 9:12 PM. All in favor.
Hearing no objections, the motion carried.

Moved by Lippert, seconded by Yannatta, to adjourn the meeting at 9:13 PM. All in favor.
Hearing no objections, the motion carried.

Erine Adams
Village President

Dawn Dodge
Village Clerk

Operator: JANA E
Roscommon

EXP CHECK RUN DATES 10/30/2013 - 10/30/2013
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Inv Ref#	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
48	DAVID DOLL	10/10/2013	10/31/2013	1,637.40	1,637.40	0	N
49	ROBERT WATERMAN	10/10/2013	10/31/2013	126.15	126.15	0	N
50	SENTRY INSURANCE COMPANY	10/14/2013	10/31/2013	129.87	129.87	0	N
51	RAVEN ANALYTICAL	10/16/2013	10/31/2013	84.00	84.00	0	N
52	UNITED HEALTHCARE	10/16/2013	10/31/2013	84.38	84.38	0	N
53	M-33 ACCESS	10/14/2013	10/31/2013	563.35	563.35	0	N
54	ROSCOMMON COUNTY SHERIFF'S	10/15/2013	10/31/2013	1,666.29	1,666.29	0	N
55	MICHAEL LOONEY	10/15/2013	10/31/2013	78.26	78.26	0	N
Totals:				4,369.70	4,369.70		
of Invoices:		8	# Due:	0			
of Credit Memos:		0	# Due:	0	0.00		
Totals:				4,369.70	4,369.70		
--- TOTALS BY FUND ---							
101 - General Operating				3,845.34	3,845.34		
590 - Sewer Fund				269.66	269.66		
591 - Water Fund				208.48	208.48		
661 - Equipment Fund				46.22	46.22		
--- TOTALS BY DEPT/ACTIVITY ---							
000 -				738.61	738.61		
265 - Village Hall				201.25	201.25		
330 - Law Enforcement				1,792.44	1,792.44		
370 - Building Department				1,437.40	1,437.40		
400 - Zoning and Planning				200.00	200.00		

Print of Invoices and Credit Memos:

AuSable River Center Meeting of October 17, 2013 Minutes.

Present: Beardslee family, Nagels, Tuckers , Dan Fishel, Julie, Al Schultz presiding, guests Mark Constance, Dale Ekdom.

Minutes of Aug. 15 approved, Treas presented a comparison report. Raffle ticket sales grossed \$4, 885.00 Winner Kae Story, Tuckers summertime neighbor.

The R.R. Club is dismanteling Cal Peterson's setup and moving it.

A new committee is forming to put on a Riverfest July 19-20th. Mark C. has agreed to chair the organization meetings, to start up in December. If you can help ,watch for meeting announcements. They are looking for an umbrella organization and start up funds. What they got from us were lots of suggestions.

Al and Steve have the Consumers electric figures to work with for energy savings.

Sue Jock (RMRA) requests that all RMRA divisions Web sites show linkage.

Dan brought in a 1950's leather quiver and wooden arrows stamped 'Bear Archery" which we will hang next to Fred's photo.

HLRCofC will put our Show and Sell dates on the calendar again as third Saturdays of June, July, Aug. Sept? and MADE IN Roscom' Aug. 9, 2014.

Crawford, Roscommon Soil Conservation EXPO filled out building and front porch Sept. 28. The Farm Market and Expo were very well attended. This will probably be repeated in '14.

Ginny suggested we hire the Paper shredder truck from Saginaw to spend a few hours here on a Summer Saturday, We should make some inquiries to see if would be utilized.

Next meeting Nov. 21

jib

**ROSCOMMON DOWNTOWN DEVELOPMENT AUTHORITY
BOARD MINUTES
SEPTEMBER 16, 2013**

Members Present: President Anderson, President Adams, Jock, Spangler, Norton, Legg, Hodges, Weiss, Karjalainen, Schwalm, O'Brien

Others Present: Dave Hodges, Kevin Howe, Janae Ostling, Carol Garlo, Dan Fishel

Motion by Norton with support from O'Brien to approve August minutes as presented. All in favor, motion carried.

Motion by Norton with support from O'Brien to approve Treasurer's report with cash on hand in the amount of \$125,105.37.

CORRESPONDENCE & PUBLIC COMMENT

Thank you note from Flowers in the Village for DDA contribution.

DISTRICT LIBRARY

Moving along, parking lot should start taking shape shortly, and roof. Hopefully, landscaping will begin early October.

DDA DEVELOPMENT PLAN

Still in rough format. There will be a 20 minute presentation at chamber meeting.

FARM MARKET

Starting to slow down, but everyone will stick it out through October.

SIDEWALKS & STREETSCAPES

Manager Lowe is submitting additional grant information for Sea Wall project and sidewalk to Hilltop project by this Friday.

Andrea will email John Billette and double check to make sure they are proceeding with sidewalk in front of Congregational Church.

Dan Fishel expressed parking concerns with new sidewalks in front of Congregational Church.

Dave Hodges presented a quote from Standard Electric for 10 new globes; many globes are becoming sun baked and brittle. Motion by Spangler with support from O'Brien to allocate \$2,200 plus shipping for the purchase of ten new globes. All in favor, motion carried.

Discussion on hiring a private company to haul snow out of parking areas in downtown.

Motion by Jock with support from O'Brien to support safe route to school snow clearing with 1/3 contribution not to exceed \$2,000.00, 11 Yays, 1 Nay (Karjalainen).

INDUSTRIAL PARK

Discussion on different parties that have been showing interest in Industrial Park property.

BUDGET

Hoping to have a rough draft budget prepared for next meeting.

CHAMBER OF COMMERCE

HME out of Grayling purchased an AM/FM tuner for downtown sound system. We will be running advertisements for HME Firemen's Memorial week for two years.

Annual Meeting is Oct 22nd at 5:00 p.m., Fred's.

Recreation Meeting Oct 26th at 4:00 p.m.

Firemen's Memorial kickoff is this Thursday with family night.

Meeting adjourned at 9:10a.m.

Village of Roscommon Board
Roscommon, MI 48653
October 16, 2013

Dear Board Members:

In accordance with Section II, District Library Board Agreement, Section A,
Governing board, #4 which reads as follows:

“At least two(2) months prior to the expiration of the term of any Board Member,
the Library Board may provide the Townships and the Village with
recommendations of candidates interested in appointment to the Library Board.”

The District Library Board is recommending an additional term appointment for
Michael Butler as a representative of the Village of Roscommon on the District
Library Board.

Thank you for your consideration, we look forward to continued service to the
District Library, the Townships, and the Village.

Very truly yours,

District Library Board Members

John Rosczyk
June Karjalainen
Suzanne DeHaan
Delores Munoz
Michael Butler
Joyce Ballard
Mary Jo Correll

MINIMUM WAGE LAW OF 1964 (EXCERPT)
Act 154 of 1964

408.384a

(8) In lieu of monetary overtime compensation, an employee subject to this act may receive compensatory time off at a rate of not less than 1-1/2 hours for each hour of employment for which overtime compensation is required under this act, subject to all of the following:

(a) The employer allows employees a total of at least 10 days of leave per year without loss of pay and provides the compensatory time to the employee only pursuant to either of the following:

(i) Applicable provisions of a collective bargaining agreement, memorandum of understanding, or any other written agreement between the employer and representative of the employee.

(ii) If employees are not represented by a collective bargaining agent or other representative designated by the employee, a plan adopted by the employer and provided in writing to its employees that provides employees with a voluntary option to receive compensatory time off for overtime work when there is an express, voluntary written request to the employer by an individual employee for compensatory time off in lieu of overtime pay before the performance of any overtime assignment.

(b) The employee has not earned compensatory time in excess of the applicable limit prescribed by subdivision (d).

(c) The employee is not required as a condition of employment to accept or request compensatory time. An employer shall not directly or indirectly intimidate, threaten, or coerce or attempt to intimidate, threaten, or coerce an employee for the purpose of interfering with the employee's rights under this section to request or not request compensatory time off in lieu of payment of overtime compensation for overtime hours, or requiring an employee to use compensatory time. In assigning overtime hours, an employer shall not discriminate among employees based upon an employee's choice to request or not request compensatory time off in lieu of overtime compensation. An employer who violates this subsection is subject to a civil fine of not more than \$1,000.00.

(d) An employee may not accrue more than a total of 240 hours of compensatory time. An employer shall do both of the following:

(i) Maintain in an employee's pay record a statement of compensatory time earned by that employee in the pay period that the pay record identifies.

(ii) Provide an employee with a record of compensatory time earned by or paid to the employee in a statement of earnings for the period in which the compensatory time is earned or paid.

(e) Upon the request of an employee who has earned compensatory time, the employer shall, within 30 days following the request, provide monetary compensation for that compensatory time at a rate not less than the regular rate earned by the employee at the time the employee performed the overtime work.

(f) An employee who has earned compensatory time authorized under this subsection shall, upon the voluntary or involuntary termination of employment or upon expiration of this subsection, be paid unused compensatory time at a rate of compensation not less than the regular rate earned by the employee at the time the employee performed the overtime work. A terminated employee's receipt of or eligibility to receive monetary compensation for earned compensatory time shall not be used by either of the following:

(i) The employer to oppose an employee's application for unemployment compensation under the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.1 to 421.75.

(ii) The state to deny unemployment compensation or diminish an employee's entitlement to unemployment compensation benefits under the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.1 to 421.75.

(g) An employee shall be permitted to use any compensatory time accrued under this subsection for any reason unless use of the compensatory time for the period requested will unduly disrupt the operations of the employer.

(h) Unless prohibited by a collective bargaining agreement, an employer may terminate a compensatory time plan upon not less than 60 days' notice to employees.

(i) As used in this subsection:

(i) "Overtime compensation" means the compensation required under section 4a.

(ii) "Compensatory time" and "compensatory time off" mean hours during which an employee is not working and for which the employee is compensated in accordance with this subsection in lieu of monetary overtime compensation.

(iii) "Overtime assignment" means an assignment of hours for which overtime compensation is required under this act.

2014 BUDGET ADOPTION SCHEDULE

<u>Meeting Date</u>	<u>Agenda Items</u>	<u>Requests Due</u>
September 9	Equipment and Industrial Park	August 28
September 23	Streets	September 11
October 14	Water and Sewer	October 2
October 28	General	October 16
November 12	Budget Work Session	
November 25	Public Hearings and Approval	

It would be our goal to send you that portion of the budget a week before the meeting. This would include the reoccurring expenses and any additional requests. You would also have the amount available in each fund and a list of anticipated expenditures for the next 5-10 years. After you review the proposed budget you can discuss it at the meeting.

On November 12th, you can set priorities for the year, make changes to the budget, and set the required public hearings. On November 25th, after the budget hearings you can make further changes based on the public comments if necessary and approve the final version.

This resolves several concerns that staff and council have expressed.

- It avoids an additional, lengthy meeting for a Budget Work Session.
- The budget would be complete before December.
- Council can focus on individual funds at each meeting.
- Staff can complete the review material for each fund separately.

Please give me any constructive criticism or suggestions.

The Michigan Open Meetings Act (OMA) provides that all meetings of a public body shall be open to the public and be held in a place available to the general public (MCL 15.261 et seq.) The OMA also provides, however, for those situations in which a public body may meet in closed or executive session. (MCL 15.268) This discussion is limited to the minutes taken during a closed session and assumes that the public body met in a properly closed session.

Are minutes required to be taken?

Yes. The OMA requires that a separate set of minutes shall be taken at the closed session. According to an opinion of the Michigan attorney general, the minutes must reflect the date, time, place, members present and absent, and purpose of the closed session. (OAG No. 6817)

Who may take the minutes?

The clerk or designated secretary of the public body.

Are the minutes available to the public?

No. The minutes may only be disclosed if required by court order in a civil action filed in accordance with MCL 15.270, 15.271 or 15.273. OAG No. 6353 provides that disclosure may not be made even if the person requesting the closed session subsequently waives or withdraws the request and consents to disclosure.

Who approves the minutes? When?

The public body. The public body may meet in closed session to approve the minutes of a closed session if that decision is made in an open session of the public body.

May the minutes be destroyed?

The minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

Are the minutes subject to the Michigan freedom of information act?

The minutes of a closed session are exempt from disclosure under the Michigan freedom of information act unless required by court order in accordance with the open meetings act.

Village Hall Maintenance and Improvements

Heat / AC

- Install new boiler
- Reconfigure heating zones
- Insulate walls and ceilings
- Relocate current air conditioner to meeting room
- Purchase AC unit for office

Electricity

- Drop separate line for server
- Upgrade electrical service

Roof

- Reshingle valley above new bathroom

Bathrooms

- Replace both sink drains
- New bathroom sewer vent
- Fan vents
- Public drinking fountain

Entryway

- Install handicap hardware
- Reverse door swing
- Construct 9 X 12 entryway

Security

- Install panic buttons
- Walls and service windows

Storage

- Additional fireproof storage cabinet

Remaining Unresolved Problems

- Security of Server
- Poor water quality
- Inconvenient location
- Desk space for inspector
- Space for more file cabinets
- Building violates building code
- Offices for Clerk and Treasurer
- Impression of visitors and developers

UT BARR Fridge
Exit signs



Preserving the Village Spirit
Village of Roscommon

MEETING REPORT

October 28, 2013

Agenda Items

Consent Agenda

Nothing unusual

Library Board Appointment

Mike Butler's term will be ending on the board in December. There is a letter attached from the board members asking that Mike be reappointed for another term. This is Erine's appointment, and the council must approve it.

I move that we approve the reappointment of Mike Butler to the Library Board for a term ending December 31, 2017.

Compensatory Time Policy

We need to have a policy that covers the use of comp time by the hourly employees. It has been the practice of the Village for over ten years to allow DPW workers to receive overtime pay or comp time for hours over 40 that they work in a week. If they choose comp time, they would receive 1 1/2 hours off for every hour of overtime that they worked. There is a state statute that governs much of this issue, and the Village has complied with the law. However, we need to have a written policy in place. I want to get your thoughts before working on a draft.

Return to Work Policy

The Village should also have a policy that covers a situation when an employee is off work for several days for medical reasons. There are two concerns. First, if an employee is injured or has surgery, we need to know when they can safely return to their duties. The other issue is with a contagious illness. We do not want other employees or the public infected. Normally, a doctor's note is required for someone to return to work if the medical absence is for three or more days. Our Policy Manual does not have this requirement. Below is an example. We can schedule a vote for both of these policy issues at the next meeting.

If an employee is absent for three or more consecutive days due to illness or injury, before returning to work the employee must provide a health care provider's verification that he or she may safely return to their job.

Year End Public Hearings

You are required to hold two public hearings before the end of the year. One is to take input regarding the proposed budget before you approve it. The other must be held before you establish the millage rates for 2014. You need to set a date for both of these hearings so Dawn can publish the notices. Attached is the budget approval schedule from the July 22nd meeting. It sets the date for those hearings at the regular meeting on November 25th.

At the first meeting in November, you can review the budget and make any changes that you would like. A copy of the budget is attached. You will have two weeks to look at it and make any changes that you would like. On the 25th, the public can voice their opinions about the budget. Then you can approve the millage rates and the budget.

I move that we set public hearings for the 2014 millage rates and the 2014 village budget for November 25th.

Closed Session

The minutes from closed session must be reviewed in closed session. You then go back into open session to vote on the approval. I have included some information from the League about these minutes.

I move that we enter into closed session to review the minutes of the prior closed session. Five votes are necessary. In closed session the clerk reads the minutes. Back to open session. No motion can be made in closed session.

I move that we return to regular session.

I move that we approve the closed session minutes of October 15, 2013.

The minutes from closed session are sealed and cannot be opened without a court order. They must be approved in the event the court does order them to be opened. They are destroyed after a year.

Update

Office Renovation

Attached is a list of items that we need to address in this building. The top portion contains those items that must be addressed, if Village Hall remains where it is and is not expanded.

AT&T Water Tower Lease

AT&T has exercised their option to extend their lease for their antennas on our water tower until 2019. The terms of the original lease from 1999 are for five years with three five-year extensions at their option. The lease will now run until March 31, 2019.

DaVita

This week, I talked with their on site contractor. They plan to have the exterior of the building completed by the end of the year. It will take the company until mid April to complete the licensing process with the state. They believe that they will be ready to see patients by then.

File Purging

Since you have approved the state recommended Records Retention Policy, Dawn has been diligently sorting through our records. Thursday, we used the county's contractor to shred 23 boxes of old records. The cost was \$115.00, less than the cost of burning up an office shredder. Some of the records were from the last century, when Mike Mitchell was the manager.