

MEMBERS PRESENT: BALDWIN, REYNOLDS, CRAWFORD, BRADLEY, BRUCKNER AND KELLY
 MEMBERS ABSENT: KISH
 ALSO PRESENT: PAT SMITH, FIRE CHIEF
 LISA SHAGENA, ASSISTANT ASSESSOR
 BRENT WOOLMAN, FIRE FIGHTER

Motion by Kelly, seconded by Reynolds, to approve the Minutes of the REGULAR MEETING of February 19th, 2014, as printed and posted. Vote, Unanimous. MOTION PASSED.

CITIZENS WISHING TO ADDRESS THE BOARD: * NONE

APPROVAL OF AGENDA:

Motion by Bradley, seconded by Reynolds, to approve the Agenda, as printed and posted. Vote, Unanimous. MOTION PASSED.

TREASURER'S REPORT:

GENERAL FUND	\$	1,057,954.86
UTILITY RECEIVING FUND	\$	1,832,869.21
FIRE DEPARTMENT FUND	\$	197,926.76
BUILDING DEPARTMENT FUND	\$	21,477.98
POLICE PROTECTION FUND	\$	692,829.23
TRASH FUND / RECYCLING	\$	154,688.18
TOTAL	\$	3,957,746.22
MISCELLANEOUS PROJECTS	\$	2,905,204.53
GENERAL INVESTMENTS	\$	2,202,165.45
UTILITY RECEIVING INVESTMENTS	\$	171,898.26
UTILITY BOND INVESTMENTS	\$	42,756.93
GRAND TOTAL	\$	9,279,771.39

Motion by Bradley, seconded by Kelly, to receive the Treasurer's Report, as given. Roll Call Vote, 6/0. MOTION PASSED. TOTAL TREASURER'S REPORT APPROVED IN THE AMOUNT OF \$ 9,279,771.39.

BILLS PRESENTED FOR APPROVAL:

GENERAL FUND	\$	46,483.62
UTILITY RECEIVING FUND	\$	9,311.61
FIRE DEPARTMENT FUND	\$	8,471.29
BUILDING DEPARTMENT FUND	\$	0.00
POLICE PROTECTION FUND	\$	117.60
TRASH FUND / RECYCLING	\$	0.00
TOTAL	\$	64,384.12

Motion by Kelly, seconded by Bruckner, to pay bills, as presented. Roll Call Vote, 6/0. MOTION PASSED. BILLS APPROVED IN THE AMOUNT OF \$ 64,384.12.

* According to Section 6 of the Charter Township of Fort Gratiot By-Laws adopted 02/20/2003.

CORRESPONDENCE:

1. Upcoming Meetings / Seminars / Workshops / Events:
 - 8th Annual State of St. Clair County Luncheon Address at Alexander's Banquet Facility in Marysville on March 21, 2014. (Cost \$25.00/person or \$85.00 for business table of four).
 - SEMCOG's March General Assembly, March 27, 2014 at the Cobo Center, East River Atrium at 6:00 p.m.
2. Supervisor Baldwin noted a letter she received from Natalie Jacob regarding her concerns about speeding in her neighborhood and that there aren't enough speed limit signs. As a school project, she had to write a letter regarding an issue in her community and suggest solutions to the issue. The Supervisor will be writing her back.

Motion by Reynolds, seconded by Bruckner, to accept correspondence, as given. Vote, Unanimous. **MOTION PASSED.**

PUBLIC HEARING(S): NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

1. Motion by Baldwin, seconded Kelly, to adopt the *Resolution to Temporarily Relocate Election Precinct #3* (currently located at the Township Hall, 3720 Keewahdin Road, Fort Gratiot MI 48059) to the Township Department of Public Works (DPW) building, 3815 Keewahdin Road, Fort Gratiot MI 48059, due to the construction of the Municipal Office Center; and to authorize the Township Clerk to mail notification to registered voters within Precinct #3 (approx. 1,700) for each election. Roll Call Vote, 6/0. **MOTION PASSED.**
2. Motion by Crawford, seconded by Bradley, to approve paying the cost of up to \$160.00, for a table for 8, for the attendance of the 8th Annual State of St. Clair County Luncheon Address at Alexander's Banquet Facility in Marysville, on Friday, March 21, 2014, from 11 a.m. until 1:15 p.m. Roll Call Vote, 6/0. **MOTION PASSED.**
3. CHRISTOPHER KOVACH, FIRE DEPARTMENT MEMBER, REQUEST FOR LEAVE OF ABSENCE, BEGINNING MARCH 1, 2014:

- POINTS OF DISCUSSION:
- * Fire Chief stated Mr. Kovach is going through some personal matters and is requesting a three (3) month Leave of Absence.
 - * Chief Smith stated the Department has invested quite a bit of education into Mr. Kovach and it is his recommendation that the leave be granted. Mr. Kovach has been on the Department for 6 years; he is a Fire Inspector and has been sent to numerous schools. Chief Smith feels Mr. Kovach needs the time off to get his personal matters in order.
 - * The Department still has three (3) other Inspectors to pick up Mr. Kovach's inspections; and Mr. Kovach has indicated that he will be available for phone calls, if needed.

Motion by Kelly, to approve a three (3) month Leave of Absence for Mr. Kovach. **MOTION DIED FOR LACK OF SUPPORT.**

FURTHER DISCUSSION: * Mr. Kovach is currently under 30% for over three (3) months on calls.

Supervisor Baldwin stated she would hope anyone would be afforded a leave, if needed and they didn't feel they could safely fulfill their duties, regardless of the person. She also feels the Township has invested quite a significant amount of money in this person. She and Mr. Smith have spoken about it. No one has seen the letter and Mr. Kovach has not contacted anybody on the Board and he is not present at this meeting.

Mr. Smith stated Mr. Kovach spoke with him about it at the Fire Meeting and he recommended to Mr. Kovach that this would be the best way to request it. Mr. Smith stated it isn't written anywhere that the employee has to address the Board personally. When Mr. Kovach came to him, Mr. Smith told him he would address the Board for him.

Supervisor Baldwin stated she had spoken with Mr. Smith about this in December and reiterated that, because Mr. Kovach is the employee, the request needed to come from him.

It was noted that Mr. Kovach has already been off for three months and an additional three months will be half a year. Supervisor Baldwin asked if there is any continued training that he will miss out on?

NEW BUSINESS, ITEM #3, CONTINUED:

Mr. Smith stated, there is, for his Inspector position. But, he can make that up; he has to have so many credits to keep in Inspector License up, but he can make that up from that point on.

Clerk Crawford stated he would have been much more comfortable if Mr. Kovach would have brought this up two months ago.

Mr. Smith stated he talked with Mr. Kovach in January. Mr. Kovach thought, at that time, he would be able to fulfill the commitment. Things changed in January that made matters worse and that is when his attendance started to drop even further. That's when Mr. Smith pulled him in and said something needed to be done.

Treasurer Reynolds asked if this is something the Township Board actually needs to give approval for; or is this something Mr. Kovach can apply for under the Family Medical Leave Act?

Mr. Smith stated that personal issues don't fall under medical. It isn't a medical issue; it's a Personal Leave of Absence.

Supervisor Baldwin stated, usually, when someone is being hired on probation or being hired as a full member, it is discussed at Fire Meetings and membership has some sort of say and makes a recommendation to the Board. She asked if the membership has been involved in this matter?

Mr. Smith stated it wasn't brought up to the Members; it was brought up to him.

Prior to this, Mr. Smith stated that Mr. Kovach was making a little over 30% of the calls.

Clerk Crawford reiterated that he would have felt a lot better if Mr. Kovach would have come to the Board a lot sooner. He feels Mr. Kovach should have addressed the Board about this in January.

Mr. Smith again stated that Mr. Kovach spoke to him in January and he thought he was going to be able to make it.

Trustee Bruckner asked about protocol if Mr. Kovach is unable to return after three (3) months?

Mr. Smith stated that Mr. Kovach will have to come back and be able to perform to the expectation of the Department. At this time it is a 30% call attendance.

Treasurer Reynolds stated she has gone back through payroll and Mr. Kovach's attendance has been down for quite awhile; since September.

Mr. Smith replied that if you are going to throw that in, there are other people that have to be brought up too.

Treasurer Reynolds stated the Board also has to look at the severity of it.

Trustee Kelly asked if he has been getting paid?

Trustee Reynolds stated no; the position is Paid on Call. She noted that they are not employees who are scheduled to be here. They are Paid on Call. He is asking for a Leave of Absence from a job he isn't scheduled to be at.

Supervisor Baldwin replied, Mr. Kovach wears a lot of hats. He is a Safety Officer and a Fire Inspector. Now, the work of four (4) Inspectors will be done by three (3). She stated, to her, it is different than a Paid on Call Member who doesn't wear other hats. She stated she can empathize. She really wishes he would have reached out a lot sooner when Mr. Smith first spoke with her about it; noting she had this discussion with Mr. Smith in December. And, she wished he was here. She stated, if she needs a Leave of Absence from her employer, she is going to reach out to everyone she needs to. The Department head and then anyone above them. She noted when a previous employee took a Leave of Absence to run for a County office. He, first, went to his Department Head and then made his request to the Township Board.

Mr. Smith stated there is no set procedures written.

Mrs. Baldwin agreed, but stated it is a courtesy.

Mr. Smith stated we need to set up written procedures for the future.

Mrs. Baldwin also noted that when Members are promoted from probationary to full member, they come to the meeting that the Board is taking action on the recommendation. Mr. Smith agreed, adding if they are available he asks them to show up.

NEW BUSINESS, ITEM #3, CONTINUED:

Trustee Bruckner asked how much the Township as invested in Mr. Kovach for training time and education?

Mr. Smith stated he would have to look up that information, but over the years it is quite significant noting that the Inspector certification education alone was over \$1,200.00.

Trustee Kelly stated she feels if Mr. Kovach were given the Inspector position full time she wouldn't see any problem. She thinks he would make an excellent employee.

Mr. Smith agreed, but stated at the present time the Department doesn't have the budget for another full time employee. He is paid for each inspection he does, but we don't have the budget for a full time employee.

Supervisor Baldwin stated she isn't as comfortable with it as she was in December or even January.

Motion by Baldwin, to deny the request.

Trustee Reynolds suggested the Board request Mr. Kovach to come to the next meeting and plead his case himself.

Mr. Smith reiterated that if the Board denies the request, we are going to open up other things too.

Supervisor Baldwin amended her Motion to include that her reason is due to the length of time knowing it was happening. She feels as though he has already had a Leave of Absence.

Mr. Smith stated some of this didn't happen until January though.

Supervisor Baldwin reiterated that a big portion of it, in the conversation she had with Mr. Smith, was in December.

Treasurer Reynolds stated, looking at his pay stubs supports that.

Mr. Smith stated he would like to see him try to sort out the issues that he is having and then, when he comes back, if he still underperforms than it would go to the Disciplinary Board.

Trustee Bruckner asked if underperformance would be, not the job he is performing but the amount of time he is putting in?

Mr. Smith replied, the amount of time he is here. He does an excellent job on the inspections; he does a good job as a Safety Officer; he's a good fireman and a good medic.

Trustee Kelly stated he is a good worker; she has known him ever since he was a little guy. You couldn't ask for anybody more reliable than him.

Treasurer Reynolds stated she doesn't think anyone is questioning his work ethic. The Fire Department has a requirement for a certain number of calls built into the SOG's.

Trustee Bruckner asked how many other members are falling under the 30% requirement?

Mr. Smith replied, probably at least four (4) other members.

Mrs. Reynolds asked if they have also been for a three (3) month period?

Clerk Crawford stated, if this request is denied, it becomes a disciplinary issue that goes before the Disciplinary Committee. That Committee can make a recommendation based on their investigation.

Mr. Smith stated that if this is reviewed by the Disciplinary Committee than the other four (4) should also be investigated.

Mrs. Baldwin stated, currently, the SOG's do not say anything about a three (3) month time period.

Mr. Smith stated the SOG's just say 30%.

Mr. Crawford asked if that means 30% of the time slot they are available, or any call?

NEW BUSINESS, ITEM #3, CONTINUED:

Mr. Smith replied, any call. We have been looking at a way of trying to change that. But, it's a real tough subject trying to determine available time and non-available time.

Mr. Crawford asked if that requirement was not in the SOG's, how does that affect the day to day operation? Because, now if a person is available they come; if they aren't available they don't come. They're Paid on Call.

Mr. Smith replied there is no gauge there without that requirement. He has talked with a lot of Departments and they all have some type of percentage they have to make.

At this time, Crawford supported Baldwin's amended Motion to deny the request from Chris Kovach for a *Leave of Absence* for Christopher Kovach, from the Fire Department, beginning March 1, 2014. Reason is due to the length of time knowing it was happening; feels as though he has already had a Leave of Absence. Roll Call Vote, 4/2, Bruckner and Kelly voting no. **MOTION PASSED. REQUEST DENIED.**

Trustee Bruckner requested that the other four (4) Members also be brought before the Disciplinary Committee for review.

Mr. Crawford stated now the Committee can review it and make a recommendation to the Board; this isn't a dead end.

Trustee Bradley agreed. He doesn't want to give somebody the dickens for not showing up if they have legitimate reasons, but at least now it will bring it to the Committee and they can discuss it and the Township Board can go from there.

Mr. Crawford stated he would have felt more comfortable had he had a simple, one sentence letter from Mr. Kovach, stating he was requesting a Leave of Absence for this period.

Mr. Smith stated Mr. Kovach did give him a letter.

Mr. Bradley stated he should have sent it to the Board or come to the meeting.

Mr. Crawford stated he has seen nothing but Mr. Smiths request and that is not from the employee.

Mr. Smith said the request came to him and he is Mr. Kovach's immediate Supervisor; that's where it should come to. That's what it should be if it were any business, (i.e., Township, Chrysler, etc.) it doesn't go to the top right away. It goes to the Supervisor and the Supervisor makes that request. And, I am his Supervisor.

Trustee Bruckner stated she just wants to be sure the Board is consistently, across the board, implementing the Policy if there are four (4) members also under 30%, irregardless (sic) of the period of time. She thinks all those employees need to be looked at and there needs to be a uniform Policy and the Disciplinary Committee needs to look at all four (4) of those, not just one.

Mr. Bradley agreed, stating it's not fair for the members that show up all the time, that are here and then have somebody putting 20% in and we are spending money for their future education and not show up.

Mr. Crawford asked what happens if this person decides not to come back and whatever education we've invested in him, he goes and works for somebody else? We put the investment in to train them for this position and now they are no longer available to us. It's not fair to the Township that has invested in the education to put this person in the position to do this work.

Mrs. Baldwin stated, hopefully, this opens that door where we can put to bed 30%. A different percent, an available time, but a change to that policy, a change to the SOG, that she and Chief Smith have been talking about for months and months.

Mr. Smith stated that particular SOG requirement is going to be really hard to work on.

NEW BUSINESS, ITEM #3, CONTINUED:

Mrs. Baldwin agreed. A lot of the reasons, she and he have already talked about. Punitive, rewards... do you want people to strive for the 30% because they want to be here. She stated the Department has a very dedicated staff. It should be that if you are available and you are committed to this Department.

Mr. Smith stated the problem with Paid on Call is that you always have people with young kids. Even though they aren't working, without a babysitter they can't come. There is a big issue when you start looking at percentage. He stated he doesn't like the percentage; he would rather look at the person himself. You know what's going on in their lives as a Supervisor.

Mrs. Baldwin agreed, stating she doesn't want to hold it against somebody for being a parent. But she doesn't want it to always fall onto the people whose situation allows them to be available. It's Paid on Call as people are available; it's not a full time Department. She doesn't want to see someone punished for doing the things that they need to do, but we have to come up with some incentive to be there besides just some arbitrary number. She doesn't know where to start with that; start with the membership and how people feel about it. But she really wants to get that 30% issue handled.

Mrs. Reynolds stated she has to believe the MTA has something that could help.

Mr. Crawford stated he thinks there are other issues with having the required attendance. The FLSA and the IRS ruling has some implications.

Mr. Smith stated it's an issue; but it's only an issue for certain people.

Mrs. Baldwin stated we have to figure out a way to make it work and to make it fair and to make people feel like it's not always the same people always doing all the work.

Mr. Smith stated those people don't care. For example, Brent Woolman and Jerry Woolman make 90% of the calls. It's because they are available and they like to come. There are other people who have the kids. They are young and they don't have the support system.

Mr. Crawford agreed, but if the Woolman's are working out of the area they won't be available for a call.

Treasurer Reynolds stated that his other job shouldn't be counted against him.

Mr. Smith stated that when he looks at the sheets, everything is considered. He knows when the members are gone; most of them are really good at informing him when they aren't going to be here. If they don't inform him and they aren't here, he knows there is an issue.

A lengthy discussion was held regarding Members and their lack of availability due to their full time employment, which Mr. Smith stated is taken into consideration. But, when he knows that a member is just not responding he will say something.

Mrs. Bruckner asked if Mr. Kovach didn't send a letter to the Board because he just didn't know he should send a letter?

Mr. Smith stated Mr. Kovach sent a letter to him because he is his Supervisor.

4. Motion by Bradley, seconded by Crawford, to approve sending Jeff Parent, Tyler Peters and Ryan Radigan, DPW Laborers, to the Water Certification Review Course in Bloomfield Hills, April 22nd & 23rd, 2014, at a cost of \$215.00 per person, plus expenses. Roll Call Vote, 6/0. **MOTION PASSED.**

NEW BUSINESS, CONTINUED:

5. Motion by Bradley, seconded by Bruckner, to approve sending Jeff Parent, Tyler Peters and Ryan Radigan, DPW Laborers, to take the *Type II Level 5 Drinking Water Certification Exam on May 1, 2014, at a cost of \$ 45.00 per person.*

POINTS OF DISCUSSION: * Our Policy on paying for the same test for an employee who didn't pass in the past.
* Current Policy states if an employee doesn't pass a test and takes it again, they pay the cost. If they pass, the Township will reimburse them. One is retesting for the S2 and another is retesting for the S4.

Bradley amended his original Motion to pay the cost of \$45.00 for Ryan Radigan to take the *Type II Level 5 Drinking Water Certification Exam on May 1, 2014* for his S3 Certification; and to reimburse Mr. Parent (S2) and Mr. Peters (S4) upon successfully completing their Certification. Trustee Bruckner accepted the amendment. Roll Call Vote, 6/0. **MOTION PASSED.**

6. Motion by Baldwin seconded by Bradley, to approve upgrading the Postage Machine; and approve the Lease Agreement for 60 months, with the first 12 months being at a rate of \$99.63/month and the following 48 months being at a rate of \$137.13/month. This cost includes maintenance. Roll Call Vote, 6/0. **MOTION PASSED.**

CITIZENS WISHING TO ADDRESS THE BOARD:

Brent Woolman asked how much was available to pay for the new building.

The Board explained that the Township budgeted three million, not including office furniture. The estimate includes site, construction and landscaping. The Board is confident to the extent it knows we don't have to borrow or bond or charge a Special Assessment.

BOARD DISCUSSION:

- Opening of bids for Municipal Office Center open to the public - Special Meeting tentatively scheduled for Tuesday, March 11, 2014 at 2:00 o'clock p.m. The bid due date may change. No Action will be taken by the Township Board at this meeting.
- Update on construction of Municipal Office Center
- Possibility of scheduling a Special Meeting for accepting the bid; or rescheduling the meeting of April 2nd, 2014 to March 26th, 2014.
- Update on SEMCOG's Executive Committee Meeting attended by Clerk Crawford on February 28th, 2014 - Affects of Proposal A and Headlee
- Recycling services

Motion by Baldwin, seconded by Bruckner, to adjourn. Time, 8:05 o'clock p.m. Vote, Unanimous. **MOTION PASSED. MEETING ADJOURNED.**



ROBERT C. CRAWFORD, CLERK
CHARTER TOWNSHIP OF FORT GRATIOT

RCC/JB/vo

JORJA BALDWIN, SUPERVISOR
CHARTER TOWNSHIP OF FORT GRATIOT