



## FIRE DISTRICT BOARD MEETING

6:30pm - March 21<sup>st</sup>, 2016

1. Call to Order / Roll Call:
2. Approval of Agenda (*additions / deletions*):
3. **Approval of Minutes:**
  - A. February 15<sup>th</sup>, 2016
  - B. February 24<sup>th</sup>, 2016
  - C. February 27<sup>th</sup>, 2016
4. Correspondence:
5. Fire Chief Comments:
  - A. Incident Reports / Calls to Date
  - B. Inspections/Plan Reviews
  - C. 3 Cost Recoveries – Received Total \$4,710
    1. 129 Griffith – Not Paid
  - D. MMRMA Grant Awarded – Inspector 2 & Plan Review Classes - \$1,300
  - E. Truck 2142 – Repairs - \$1,645
6. Public Comment on Agenda Items: (Limit 3 minutes)
7. Request for Payment:
  - A. Budget Amendment
  - B. Account Payables
  - C. Financial Report
8. Unfinished Business:
  - A. SCBA – Status – Cylinders Arrived
  - B. Roofing Project Status – Snow guards - \$1750
  - C. Full Time Fire Fighter / Clerk Position
9. New Business:
  - A. Elect Fire District Fire Board Officers
  - B. Phragmites – Labor
  - C. Allegan County Fire Chief's Association – Radio System Decision/Recommendation
  - D. Truck #2171 Repair/Replacement Discussion
  - E. AMR 2015 Year End Response Times
    - a. Priority 1 – 11:47
    - b. Priority 2 – 22:22
    - c. Priority 3 – 13:28
  - F. Review HME Sale and KME Purchase
  - G. Discussion of Roles & Responsibilities and Revised Meeting Schedule
10. Fire Board Comments
11. Public Comments: (Limit 3 minutes)
12. Adjournment:

### NOTICE

This facility is wheel chair accessible with accessible parking spaces available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact Saugatuck Township Fire District at 269-857-3000 for further information.



# SAUGATUCK TOWNSHIP FIRE DISTRICT



3342 Blue Star Highway  
Saugatuck, MI 49453  
Phone: 269 857-3000  
E-mail: [stfd-clerk@outlook.com](mailto:stfd-clerk@outlook.com)

## FIRE DISTRICT BOARD MEETING

6:30pm - February 15<sup>th</sup>, 2016

### MINUTES

1. Call to Order / Roll Call: Called to order by J. Verplank at 6:35pm.  
Members Present: R. McIlwaine, J. Verplank, S. Phelps, G. Bekken  
Absent with prior notice: E. Beckman, J. Schmidt, H. Zavislak  
Also Present: Chief Greg Janik, P. Stanislawski
2. Approval of Agenda (*additions / deletions*): I. Truck #2171 discussion under Chief's Comments
3. Approval of Minutes:
  - A. January 18<sup>th</sup>, 2016 – Motion by Phelps, 2<sup>nd</sup> by McIlwaine. All approve.
  - B. February 5<sup>th</sup>, 2016, Motion by Phelps, 2<sup>nd</sup> by Bekken. All Approve
    - a. Amend Funding approval motion "not to exceed \$250,000 for 2011 KME"
4. Correspondence:
  - A. Thank You Card – Medical call at Southerner December 11<sup>th</sup>, 2015
5. Fire Chief Comments:
  - A. Incident Reports / Calls to Date
    1. Incidents to date in 2016 were reviewed.
    2. 2016 average response time is 5.41 minutes to date.
  - B. Inspections/Plan Reviews
    1. 2016 Inspections to date were reviewed.
  - C. 3 Cost Recoveries – Received Total \$5,176
    1. 2016 Cost Recoveries to date were reviewed.
  - D. Billy Goldfeder Conference
    1. 10 Personnel attended all day Saturday in Kalamazoo.
    2. J. Verplank also attended. Very well done and allows a lay person a much better understanding as to the need for tools and personnel. Much greater appreciation of what the firefighters do.
  - E. Donation – Ken Denison - \$1,000
    1. Plan to utilize for awards and badges for personnel.
  - F. Fire Clerk Position
    1. Daily tracking spreadsheet for firefighter vs. clerk duties was discussed.
    2. Board consensus was to not utilize spreadsheet unless clerical work is not getting completed in a timely manner.
  - G. LED Exterior Station Lighting & Ceiling Fan Project
    1. LED project is about 50% complete. Waiting on fixtures that are on backorder.
    2. Ceiling fans in both front and back station were installed to circulate heat.
  - H. Personnel Certifications
    1. Phil Dalton – MFR License
  - I. Truck #2171 – 2008 Ford Pickup
    1. Taken out of service due to mechanical issues.



# SAUGATUCK TOWNSHIP FIRE DISTRICT



6. Public Comment on Agenda Items: (Limit 3 minutes) – None.
7. Request for Payment:
  - A. **Account Payables** – Motion by Phelps, 2<sup>nd</sup> by McIlwaine to pay the bills in the amount of \$392,242.37. Unanimous approval to pay the bills.
  - B. **Financial Report** –
    - a. Reports were reviewed by P. Stanislawski.
8. Unfinished Business:
  - A. **Hydrant Maintenance Update**
    1. **Active911 – Hydrant Data Entry – Complete**
      - a. Active 911 hydrant map was reviewed.
  - B. **SCBA – Status – Order Placed**
    - a. Anticipate delivery in 45-60 days.
    - b. Have requested funds from FEMA grant for payment.
  - C. **Roofing Project Status – Complete**
    - a. STFD personnel did rooftop inspection and found concerns.
    - b. Holland Roofing performed all needed repairs to STFD satisfaction.
    - c. Waiting on 3<sup>rd</sup> party warranty company to approve and then will issue final payment.
  - D. **HME-Sold**
    - a. Truck was picked up and payed for on Friday 2/12/2016.
    - b. B. Van Oss did a superb job of saving money on the truck commission.
9. New Business:
  - A. **Finance Options – 2011 KME International 4x4 Pumper**
    - a. To obtain loan, we will have to get a resolution passed by each of the 3 municipalities.
    - b. Plan to borrow \$200,000 for 5 years from Chemical Bank at 1.7% interest.
    - c. Contacts will be made to City of Saugatuck, Saugatuck Township, and City of the Village of Douglas to schedule meetings and get resolution approval.
  - B. **Equipment Disposal Request – SCBA Air Filling Station - Allegan County Sheriffs**

Motion by Phelps, 2<sup>nd</sup> by McIlwaine to donate Mako SCBA Air filling station to Allegan County Sheriffs.

YEAS: Phelps, McIlwaine, Verplank, Bekken  
ABSENT: Zavislak, Schmidt, Beckman
  - C. **New Website – [www.saugatuckfire.org](http://www.saugatuckfire.org)**
    - a. New website was reviewed.
    - b. Ice rescue training video was reviewed.
    - c. Automatic Sprinkler Burn Pod video was reviewed.
    - d. Request to put Erin Wilkinson on payroll roster to cover for insurance and for hourly rate.
    - e. Board recommends adding Erin to payroll roster.



# SAUGATUCK TOWNSHIP FIRE DISTRICT



10. Fire Board Comments: - None
11. Public Comments: (Limit 3 minutes) -
  - a. L. Starring – Thank you for allowing us to get new KME pumper.
  - b. B. Van Oss – Thank you on behalf of the Allegan County Dive Team.
12. Adjournment: Motion to Adjourn by G. Bekken at 7:44pm.

## NOTICE

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# SAUGATUCK TOWNSHIP FIRE DISTRICT



3342 Blue Star Highway  
Saugatuck, MI 49453  
Phone: 269 857-3000  
E-mail: [stfd-clerk@outlook.com](mailto:stfd-clerk@outlook.com)

## FIRE DISTRICT "SPECIAL" BOARD MEETING

2:00pm - February 24<sup>th</sup>, 2016

### MINUTES

1. Call to Order / Roll Call: **J. Verplank** called to order at 2:00pm  
**Present:** R. McIlwaine, E. Beckman, J. Verplank, S. Phelps  
**Absent with prior notice:** J. Schmidt, H. Zavislak, G. Bekken  
**Also Present:** G. Janik, P. Stanislawski
2. Approval of Agenda (*additions / deletions*):  
**Motion by Phelps, 2<sup>nd</sup> by Beckman, All approve of agenda.**
3. Correspondence:
4. Fire Chief Comments:  
**Many thanks to Jane Verplank, Linus Starring, Peter Stanislawski, and Brent Van Oss for all of their efforts to get to this point. It has been a long road to this point, and we appreciate all the time contributed.**
5. Public Comment on Agenda Items: (Limit 3 minutes): **None**
6. Request for Payment:
7. Unfinished Business:
8. New Business:
  - A. **Resolution # 022416-A - for Loan Process to Purchase – 2011 KME International Pumper**  
**Motion by McIlwaine, 2<sup>nd</sup> by Beckman to approve Resolution #022416A.**  
**Roll Call Vote:**  
**YEAS:** McIlwaine, Beckman, Verplank, Phelps  
**NEAS:** None  
**ABSENT:** Schmidt, Zavislak, Bekken
9. Fire Board Comments: **J. Verplank thanked everyone for their efforts to make get this far.**
10. Public Comments: (Limit 3 minutes): **None**
11. Adjournment: **Adjourn at 2:14pm**

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## FIRE DISTRICT "SPECIAL" BOARD MEETING

9:00am - February 27<sup>th</sup>, 2016

### MINUTES

1. Call to Order / Roll Call: Called to order by J. Verplank at 9:00 am  
Present: J. Verplank, S. Phelps, E. Beckman, J. Schmidt  
Absent with prior notice: H. Zavislak, R. McIlwaine, G. Bekken  
Also Present: Chief G. Janik
2. Approval of Agenda (*additions / deletions*):  
**Motion by Phelps, 2<sup>nd</sup> by Beckman, all approve of Agenda**
3. Correspondence: None
4. Fire Chief Comments: None
5. Public Comment on Agenda Items: (Limit 3 minutes) None
6. Request for Payment: None
7. Unfinished Business: None
8. New Business:
  - A. **Appoint Vice-Secretary Position to Fire District Board**  
**Motion by Beckman to appoint Scott Phelps as Vice Secretary for the Saugatuck Township Fire District Fire Administrative Board, with the authority to sign documents in the absence of the secretary. 2<sup>nd</sup> by Schmidt.**  
**YEAS: Beckman, Schmidt, Verplank, Phelps**  
**NEAS:**  
**ABSENT: Zavislak, Bekken, McIlwaine**
9. Fire Board Comments: None
10. Public Comments: (Limit 3 minutes): None
11. Adjournment: Adjourn at 9:04 am

### NOTICE

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SAUGATUCK FIRE DISTRICT

JOURNAL ENTRY

JE: 39

Entered By: Peter

Post Date: 03/18/2016

Entry Date: 03/18/2016

Journal: BA

Description: BUDGET AMENDMENT #2

GL #	Description	DR	CR
206-000-450.000	FIRE SERVICES	1,000.00	
206-000-460.000	INSPECTION & PLAN REVIEW FEES	1,000.00	
206-000-465.000	COST RECOVERY	12,000.00	
206-000-560.000	GRANTS & DONATIONS	139,200.00	
206-000-685.000	SALES OF ASSETS	143,000.00	
206-000-565.000	FINANCE/ LOANS	200,000.00	
206-336-705.000	OFFICER SALARIES	4,500.00	
206-336-707.000	CLERICAL/ADMIN WAGES	15,992.00	
206-336-708.000	CAREER FIREFIGHTER		14,000.00
206-336-709.000	OPERATIONAL WAGES		28,000.00
206-336-711.000	MEDICAL CALLS	5,000.00	
206-336-721.000	EMPLOYEE INSURANCE BENEFITS	3,000.00	
206-336-722.000	WORKER COMP INSURANCE		2,911.00
206-336-723.000	RETIREMENT		20,000.00
206-336-725.000	PAID ON CALL ANNUITY	11,000.00	
206-336-728.000	GAS & OIL	2,000.00	
206-336-730.000	PROFESSIONAL SERVICES		3,000.00
206-336-751.000	PHONES		1,000.00
206-336-752.000	UTILITIES	3,000.00	
206-336-760.000	VEHICLE/ EQUIP REP & MAINTENANCE		10,000.00
206-336-762.000	RADIO & PAGER R&R		500.00
206-336-767.000	DUES & SUBSCRIPTIONS		100.00
206-336-770.000	OFFICE EXPENSES		2,000.00
206-336-771.000	TECHNOLOGY		2,500.00
206-336-780.000	UNIFORMS		1,000.00
206-336-781.000	TURN OUT GEAR	5,000.00	
206-336-791.000	MEDICAL SUPPLY	1,500.00	
206-336-796.000	PHYSICALS	4,000.00	
206-336-815.000	GENERAL INSURANCE	17,250.00	
206-336-975.000	LOAN PAYMENT		57,405.00
206-336-980.000	SMALL CAPITAL		7,000.00
206-336-985.000	LONG TERM CAPITAL		341,000.00
Journal Total:		568,442.00	490,416.00

APPROVED BY: \_\_\_\_\_

Vendor Name	Description	Amount
1. ACCIDENT FUND	WORKER COMP INSURANCE	5,479.66
2. ALLENDALE FIREMEN'S ASSOCIATION	TRAINING	150.00
3. APPLIED IMAGING	COPIER	133.59
4. BACK ROADS SERVICES	AIR DRYER KIT REPAIR	276.48
	2112 ANNUAL MAINTENANCE	1,326.58
	TOTAL	1,603.06
5. BLOOM SLUGGETT MORGAN	LEGAL SERVICES	407.00
6. BREMER & BOUMAN HEATING & COOLING	SERVICE CALL	281.90
7. BRINDLEE MOUNTAIN FIRE LLC	HME SALE	4,200.00
8. CARDMEMBER SERVICE	THERMOSTAT, ROUTER & HOOKS	281.32
	SUPPLIES, RADIO MAINTENANCE	467.57
	TOTAL	748.89
9. COMCAST	TELEPHONE & INTERNET	198.75
10. COMPAAN DOOR & OPERATOR INC	DOOR REPAIR	333.95
11. CONSUMERS ENERGY	BOAT SLIP	25.53
	FIRE BARN	480.16
	TOTAL	505.69
12. COUNTRYSIDE ELECTRIC INC	CEILING FANS & LED LIGHTS	6,579.51
13. DEMOND'S SUPER VALUE	SUPPLIES	43.42
14. ENGINEERED PROTECTION SYSTEMS INC	FIRE ALARM	117.00
	SERVICE CALL ALARM	102.00
	TOTAL	219.00
15. ERIN K WILKINSON	WEBSITE	1,500.00
16. FIRST BANKCARD	TRAINING, SUPPLIES & POSTAGE	3,231.50
17. FLAMETAMER FIRE PROTECTION	HYDRO TESTING	775.00
	REFILL	47.50
	TOTAL	822.50
18. FRIS OFFICE	OFFICE SUPPLIES	351.90
19. GRAINGER	SUPPLIES	96.10
	SUPPLIES	59.88
	TOTAL	155.98
20. GREAT CAPACON	2012 KME	200,000.00
21. HEI WIRELESS	SOFTWARE PROGRAMMING	160.00



Vendor Name	Description	Amount
22. HEIMAN FIRE EQUIPMENT	GLASS TOOL	23.45
23. HOLLAND READY ROOFING CO	ROOF	12,585.00
24. IHLE AUTO PARTS	PARTS, SUPPLIES & REPAIRS	444.03
25. INTERNAL SOUND & COMMUNICATIONS INC	PHONES TWO WAY & SERVICE CALL	693.31
26. JENNIFER VERPLANK	EMS REPORTS	175.00
27. K&R TRUCK SALES INC	2142 OIL LEAK	1,624.96
28. KAL LAKE SEWER WATER	WATER	120.42
	WATER	105.25
	TOTAL	225.67
29. LINUS STARRING	KME PICKUP	1,246.18
30. LORRIE PASTOOR	CLEANING	280.00
31. MACATAWA BANK	FINAL PAYOFF	57,445.51
32. MENARDS	MAINTENANCE, PHONES & TOOLS	295.12
33. MICHIGAN GAS UTILITIES	FIRE BARN	568.18
34. MIKE BETTS	TRAINING	96.68
35. MOORE MEDICAL LLC	MEDICAL SUPPLIES	498.57
36. NFPA	TRAINING MATERIALS	110.70
37. OVERISEL LUMBER CO	REPAIRS & MAINTENANCE	163.99
38. PETROLEUM TECHNOLOGIES LLC	OIL ANALYSIS	51.00
39. PRAXAIR	CYLINDER RENT	70.31
40. PRIORITY HEALTH	INSURANCE	3,601.71
41. REPUBLIC SERVICES 240	TRASH	86.92
42. STANDARD	INSURANCE	412.43
43. TELE RAD INC	RADIO & MAINTENANCE	962.40
44. TOWER MARINE	GASOLINE	20.50
45. TYCO	BUILDING SECURITY	318.00
46. VELDHOFF SEPTIC TANK SERVICE INC	SEPTIC CLEANING	245.00
47. VERIZON WIRELESS	CELL PHONES & MODEMS	397.33
	CELL PHONES	71.23
	CELL PHONES & I PADS	556.09
	CELL PHONES & MODEMS	457.12
	TOTAL	1,481.77
48. WEST MICHIGAN UNIFORM	SHOP TOWELS	69.00

Vendor Name	Description	Amount
TOTAL - ALL VENDORS		310,901.69
<b>FUND TOTALS:</b>		
Fund 206 - FIRE FUND		310,901.69

03/18/2016 CHECK REGISTER FOR SAUGATUCK FIRE DISTRICT				
CHECK DATE FROM 02/16/2016 - 03/21/2016				
Check Date	Check	Vendor Name	Description	Amount
Bank MAC MACATAWA BANK				
02/26/2016	DD747(A)	BETTS, MICHAEL	PAYROLL	782.14
02/26/2016	DD748(A)	JANIK, GREG	PAYROLL	1,657.30
02/26/2016	DD749(A)	MANTELS, CHRISTOPHER	PAYROLL	1,303.83
02/26/2016	DD750(A)	MILESKIEWICZ, JOHN	PAYROLL	827.14
02/26/2016	DD751(A)	VAN OSS, BRENT	PAYROLL	1,468.92
02/26/2016	EFT166(E)	457 MERS	PAYROLL	921.33
02/26/2016	EFT167(E)	MISDU	PAYROLL	217.86
02/26/2016	EFT168(E)	IRS	PAYROLL	2,196.42
02/26/2016	EFT169(E)	MERS	PAYROLL	1,584.38
02/26/2016	EFT170(E)	STATE OF MICHIGAN	PAYROLL	1,096.72
02/29/2016	452(E)	CARDMEMBER SERVICE	THERMOSTAT, ROUTER & HOOKS	281.32
02/29/2016	453(E)	MACATAWA BANK	FINAL PAYOFF	57,445.51
02/29/2016	454(E)	VERIZON WIRELESS	CELL PHONES & I PADS	1,084.44
03/01/2016	474(E)	GREAT CAPACON	2012 KME	200,000.00
03/03/2016	451(A)	ERIN K WILKINSON	WEBSITE	1,500.00
03/08/2016	DD752(A)	BECKMAN, ERIC	PAYROLL	51.66
03/08/2016	DD753(A)	BEEK, HEATHER	PAYROLL	43.96
03/08/2016	19102	BEKKEN, GEROLD	PAYROLL	26.42
03/08/2016	DD754(A)	BERNHARDY, CHRISTOPHER	PAYROLL	205.14
03/08/2016	DD755(A)	BETTS, MICHAEL	PAYROLL	334.51
03/08/2016	DD756(A)	BLATT, DAVID	PAYROLL	209.47
03/08/2016	DD757(A)	BLOK, MICHAEL	PAYROLL	238.90
03/08/2016	DD758(A)	BRUNSTING, JESSICA	PAYROLL	140.22
03/08/2016	DD759(A)	DALTON, PHIL	PAYROLL	242.97
03/08/2016	DD760(A)	DIAZ, DANIEL	PAYROLL	298.86
03/08/2016	DD761(A)	DORNBUSH, JEFFREY	PAYROLL	20.00
03/08/2016	DD762(A)	ENGLAND, MICHAEL	PAYROLL	86.22
03/08/2016	DD763(A)	GARGANO, CHRISTINE	PAYROLL	159.35
03/08/2016	DD764(A)	GARGANO, MARK	PAYROLL	337.92
03/08/2016	DD765(A)	GROENDYKE, BRET	PAYROLL	130.64
03/08/2016	DD766(A)	KERRIDGE, ADAM	PAYROLL	115.27
03/08/2016	DD767(A)	KIRCHERT, ERIK	PAYROLL	744.15
03/08/2016	DD768(A)	MANTELS, CHRISTOPHER	PAYROLL	230.41
03/08/2016	DD769(A)	MC ILWAINE, ROY	PAYROLL	52.86
03/08/2016	DD770(A)	MEYER, KYLE	PAYROLL	501.23
03/08/2016	DD771(A)	MILESKIEWICZ, JOHN	PAYROLL	342.35
03/08/2016	DD772(A)	MOKMA, WAYNE	PAYROLL	173.35
03/08/2016	19103	PHELPS, DONALD	PAYROLL	79.28
03/08/2016	DD773(A)	REWA, LANDON	PAYROLL	204.24
03/08/2016	DD774(A)	SCHMIDT, JANET	PAYROLL	26.43
03/08/2016	STUB13(A)	SCHRECKENGUST, DANE	PAYROLL	0.00

03/18/2016 CHECK REGISTER FOR SAUGATUCK FIRE DISTRICT				
CHECK DATE FROM 02/16/2016 - 03/21/2016				
Check Date	Check	Vendor Name	Description	Amount
03/08/2016	STUB14(A)	SCHRECKENGUST, DAWN	PAYROLL	0.00
03/08/2016	DD775(A)	SEYMOUR, SCOTT	PAYROLL	309.78
03/08/2016	DD776(A)	STARRING, LINUS	PAYROLL	951.91
03/08/2016	STUB15(A)	STURM, ELLIOTT	PAYROLL	0.00
03/08/2016	DD777(A)	VAN AUKEN, LAUREL	PAYROLL	30.34
03/08/2016	DD778(A)	VAN OSS, BRENT	PAYROLL	557.81
03/08/2016	DD779(A)	VERPLANK, JANE	PAYROLL	79.28
03/08/2016	EFT171(E)	457 MERS	PAYROLL	1,950.82
03/08/2016	EFT172(E)	MISDU	PAYROLL	329.58
03/08/2016	EFT173(E)	IRS	PAYROLL	2,057.43
03/11/2016	DD780(A)	BETTS, MICHAEL	PAYROLL	782.14
03/11/2016	DD781(A)	JANIK, GREG	PAYROLL	2,740.58
03/11/2016	DD782(A)	MANTELS, CHRISTOPHER	PAYROLL	1,303.83
03/11/2016	DD783(A)	MILESKIEWICZ, JOHN	PAYROLL	827.14
03/11/2016	DD784(A)	VAN OSS, BRENT	PAYROLL	1,468.93
03/11/2016	EFT174(E)	457 MERS	PAYROLL	921.33
03/11/2016	EFT175(E)	MISDU	PAYROLL	217.86
03/11/2016	EFT176(E)	IRS	PAYROLL	2,196.38
03/21/2016	455(E)	ACCIDENT FUND	WORKER COMP INSURANCE	5,479.66
03/21/2016	456(E)	COMCAST	TELEPHONE & INTERNET	198.75
03/21/2016	457(E)	CONSUMERS ENERGY	BOAT SLIP	25.53
03/21/2016	458(E)	CONSUMERS ENERGY	FIRE BARN	480.16
03/21/2016	459(E)	CARDMEMBER SERVICE	SUPPLIES, RADIO MAINTENANCE	467.57
03/21/2016	460(E)	ENGINEERED PROTECTION SYSTEM	FIRE ALARM	219.00
03/21/2016	461(E)	FIRST BANKCARD	TRAINING, SUPPLIES & POSTAGE	3,231.50
03/21/2016	462(E)	KAL LAKE SEWER WATER	WATER	120.42
03/21/2016	463(E)	KAL LAKE SEWER WATER	WATER	105.25
03/21/2016	464(E)	MICHIGAN GAS UTILITIES	FIRE BARN	568.18
03/21/2016	465(E)	PRIORITY HEALTH	INSURANCE	3,601.71
03/21/2016	466(E)	REPUBLIC SERVICES 240	TRASH	86.92
03/21/2016	467(E)	TYCO	BUILDING SECURITY	318.00
03/21/2016	468(E)	VERIZON WIRELESS	CELL PHONES & MODEMS	397.33
03/21/2016	469(A)	MIKE BETTS	TRAINING	96.68
03/21/2016	470(A)	LORRIE PASTOOR	CLEANING	280.00
03/21/2016	471(A)	PRAXAIR	CYLINDER RENT	70.31
03/21/2016	472(A)	LINUS STARRING	KME PICKUP	1,246.18
03/21/2016	473(A)	JENNIFER VERPLANK	EMS REPORTS	175.00
03/21/2016	19104	APPLIED IMAGING	COPIER	133.59
03/21/2016	19105	BACK ROADS SERVICES	2112 ANNUAL MAINTENANCE	1,603.06
03/21/2016	19106	BLOOM SLUGGETT MORGAN	LEGAL SERVICES	407.00
03/21/2016	19107	BREMER & BOUMAN HEATING	SERVICE CALL	281.90
03/21/2016	19108	DEMOND'S SUPER VALUE	SUPPLIES	43.42
03/21/2016	19109	FLAMETAMER FIRE PROTECTION	REFILL	822.50

03/18/2016 CHECK REGISTER FOR SAUGATUCK FIRE DISTRICT				
CHECK DATE FROM 02/16/2016 - 03/21/2016				
Check Date	Check	Vendor Name	Description	Amount
03/21/2016	19110	FRIS OFFICE	OFFICE SUPPLIES	351.90
03/21/2016	19111	GRAINGER	SUPPLIES	155.98
03/21/2016	19112	IHLE AUTO PARTS	PARTS, SUPPLIES & REPAIRS	444.03
03/21/2016	19113	MENARDS	MAINTENANCE, PHONES & TOOLS	295.12
03/21/2016	19114	INTERNAL SOUND & COMMUN	PHONES TWO WAY & SERVICE CAL	693.31
03/21/2016	19115	HOLLAND READY ROOFING CO	ROOF	12,585.00
03/21/2016	19116	BRINDLEE MOUNTAIN FIRE LLC	HME SALE	4,200.00
03/21/2016	19117	HEI WIRELESS	SOFTWARE PROGRAMMING	160.00
03/21/2016	19118	VELDHOFF SEPTIC TANK SERVIC	SEPTIC CLEANING	245.00
03/21/2016	19119	COMPAAN DOOR & OPERATOR	DOOR REPAIR	333.95
03/21/2016	19120	COUNTRYSIDE ELECTRIC INC	CEILING FANS & LED LIGHTS	6,579.51
03/21/2016	19121	ALLENDALE FIREMEN'S ASSOCI/	TRAINING	150.00
03/21/2016	19122	K&R TRUCK SALES INC	2142 OIL LEAK	1,624.96
03/21/2016	19123	HEIMAN FIRE EQUIPMENT	GLASS TOOL	23.45
03/21/2016	19124	MOORE MEDICAL LLC	MEDICAL SUPPLIES	498.57
03/21/2016	19125	NFPA	TRAINING MATERIALS	110.70
03/21/2016	19126	OVERISEL LUMBER CO	REPAIRS & MAINTENANCE	163.99
03/21/2016	19127	PETROLEUM TECHNOLOGIES LL	OIL ANALYSIS	51.00
03/21/2016	19128	STANDARD	INSURANCE	412.43
03/21/2016	19129	TELE RAD INC	RADIO & MAINTENANCE	962.40
03/21/2016	19130	TOWER MARINE	GASOLINE	20.50
03/21/2016	19131	WEST MICHIGAN UNIFORM	SHOP TOWELS	69.00
Total of 106 Checks:				344,678.68
Less 0 Void Checks:				0.00
Total of 106 Disbursements:				344,678.68

User: Peter  
DB: Stfd

PERIOD ENDING 03/31/2016

GL NUMBER	DESCRIPTION	2015-16		2015-16		ACTIVITY FOR	AVAILABLE	% BGD
		ORIGINAL BUDGET	AMENDED BUDGET	YTD BALANCE 03/31/2016	MONTH 03/31/2016			
<b>Fund 206 - FIRE FUND</b>								
<b>Revenues</b>								
Dept 000								
206-000-401.000	SAUGATUCK CITY	221,672.00	221,672.00	211,048.69	2,994.97		10,623.31	95.21
206-000-402.000	SAUGATUCK TOWNSHIP	447,567.00	447,567.00	431,032.68	22,419.49		16,534.32	96.31
206-000-403.000	DOUGLAS CITY	228,265.00	228,265.00	211,327.09	16,755.95		16,937.91	92.58
206-000-450.000	FIRE SERVICES	1,000.00	2,000.00	998.00	13.00		1,002.00	49.90
206-000-460.000	INSPECTION & PLAN REVIEW FEES	1,000.00	4,000.00	3,450.00	90.00		550.00	86.25
206-000-465.000	COST RECOVERY	0.00	20,000.00	17,513.75	604.00		2,486.25	87.57
206-000-560.000	GRANTS & DONATIONS	1,000.00	150,200.00	12,637.45	0.00		137,562.55	8.41
206-000-565.000	FINANCE/ LOANS	0.00	200,000.00	200,000.00	200,000.00		0.00	100.00
206-000-665.000	INTEREST	750.00	750.00	7.19	0.00		742.81	0.96
206-000-685.000	SALES OF ASSETS	500.00	143,500.00	143,500.00	0.00		0.00	100.00
<b>Total Dept 000</b>		<b>901,754.00</b>	<b>1,417,954.00</b>	<b>1,231,514.85</b>	<b>242,877.41</b>		<b>186,439.15</b>	<b>86.85</b>

TOTAL Revenues		TOTAL Revenues		TOTAL Revenues		TOTAL Revenues		TOTAL Revenues	
901,754.00	1,417,954.00	1,231,514.85	242,877.41	186,439.15	86.85	901,754.00	1,417,954.00	1,231,514.85	242,877.41

Expenditures		Expenditures		Expenditures		Expenditures		Expenditures	
Dept 336-FIRE FUND									
206-336-702.000	BOARD SALARY	3,000.00	3,000.00	1,710.00	360.00		1,290.00	57.00	
206-336-704.000	CHIEF SALARY	61,000.00	61,000.00	42,153.78	2,346.15		18,846.22	69.10	
206-336-705.000	OFFICER SALARIES	12,000.00	7,500.00	4,768.69	574.99		2,731.31	63.58	
206-336-707.000	CLERICAL/ADMIN WAGES	22,000.00	6,008.00	6,007.50	0.00		0.50	99.99	
206-336-708.000	CAREER FIREFIGHTER	100,300.00	114,300.00	73,637.95	5,016.15		40,662.05	64.43	
206-336-709.000	OPERATIONAL WAGES	35,000.00	63,000.00	42,530.89	3,170.00		20,469.11	67.51	
206-336-710.000	FIRE CALLS	34,000.00	34,000.00	29,449.00	3,037.00		4,551.00	86.61	
206-336-711.000	MEDICAL CALLS	30,000.00	25,000.00	15,257.00	1,383.00		9,743.00	61.03	
206-336-712.000	TRAINING	20,000.00	20,000.00	15,490.00	2,360.00		4,510.00	77.45	
206-336-713.000	SPECIAL EVENTS	0.00	5,300.00	4,041.80	655.50		1,258.20	76.26	
206-336-720.000	PAYROLL TAXES	24,500.00	24,500.00	18,287.49	1,446.04		6,212.51	74.64	
206-336-721.000	EMPLOYEE INSURANCE BENEFITS	64,000.00	61,000.00	45,416.19	4,914.14		15,583.81	74.45	
206-336-722.000	WORKER COMP INSURANCE	16,000.00	18,911.00	18,910.36	5,479.66		0.64	100.00	
206-336-723.000	RETIREMENT	17,700.00	37,700.00	26,232.17	1,696.22		11,467.83	69.58	
206-336-725.000	PAID ON CALL ANNUITY	11,000.00	0.00	0.00	0.00		0.00	0.00	
206-336-727.000	OPERATING SUPPLIES	9,100.00	9,100.00	6,988.34	442.79		2,111.66	76.79	
206-336-728.000	GAS & OIL	12,000.00	10,000.00	5,449.47	20.50		4,550.53	54.49	
206-336-730.000	PROFESSIONAL SERVICES	12,000.00	19,000.00	13,065.50	862.00		5,934.50	68.77	
206-336-742.000	TESTING, REPAIR & REPLACEMENT	11,500.00	11,500.00	10,921.39	2,101.58		578.61	94.97	
206-336-745.000	STATION TOOLS	2,500.00	2,500.00	1,574.60	170.12		925.40	62.98	
206-336-746.000	FIRE FIGHTER TOOLS	4,900.00	4,900.00	2,072.41	148.45		2,827.59	42.29	
206-336-751.000	PHONES	8,000.00	9,000.00	7,520.50	879.35		1,479.50	83.56	
206-336-752.000	UTILITIES	14,000.00	11,000.00	8,547.67	1,631.46		2,452.33	77.71	
206-336-759.000	HYDRANT MAINTENANCE	500.00	500.00	12.72	0.00		487.28	2.54	
206-336-760.000	VEHICLE/ EQUIP REP & MAINTENANCE	26,000.00	36,000.00	25,798.42	2,555.88		10,201.58	71.66	
206-336-761.000	BOAT MAINTENANCE	10,000.00	10,000.00	3,835.77	0.00		6,164.23	38.36	
206-336-762.000	RADIO & PAGER R&R	3,000.00	3,500.00	3,015.90	1,589.97		484.10	86.17	
206-336-763.000	BUILDING REPAIR & MAINTENANCE	15,000.00	15,000.00	8,745.06	1,473.15		6,254.94	58.30	
206-336-764.000	BUILDING SECURITY	4,500.00	4,500.00	2,430.62	537.00		2,069.38	54.01	
206-336-767.000	DUES & SUBSCRIPTIONS	800.00	900.00	865.20	0.00		34.80	96.13	
206-336-770.000	OFFICE EXPENSES	5,000.00	7,000.00	5,300.85	669.42		1,699.15	75.73	
206-336-771.000	TECHNOLOGY	3,600.00	9,600.00	8,909.95	1,699.00		690.05	92.81	
206-336-775.000	BUILDING INSPECTIONS	500.00	500.00	219.04	0.00		280.96	43.81	
206-336-780.000	UNIFORMS	4,500.00	7,000.00	4,914.17	0.00		2,085.83	70.20	
206-336-781.000	TURN OUT GEAR	10,000.00	5,000.00	3,576.22	0.00		1,423.78	71.52	
206-336-785.000	EDUCATION	15,000.00	15,000.00	13,608.98	2,989.96		1,391.02	90.73	

PERIOD ENDING 03/31/2016

GL NUMBER	DESCRIPTION	2015-16		YTD BALANCE 03/31/2016 NORM (ABNORM)	ACTIVITY FOR MONTH 03/31/2016		AVAILABLE BALANCE NORM (ABNORM)	% BGD USED
		ORIGINAL BUDGET	2015-16 AMENDED BUDGET		INCR (DECR)			
Fund 206 - FIRE FUND								
Expenditures								
206-336-791.000	MEDICAL SUPPLY	5,000.00	3,500.00	1,442.08	498.57	2,057.92	41.20	
206-336-795.000	FIRE PREVENTION	4,600.00	8,100.00	5,618.50	0.00	2,481.50	69.36	
206-336-796.000	PHYSICALS	7,000.00	3,000.00	390.23	0.00	2,609.77	13.01	
206-336-799.000	CONTINGENCY	0.00	0.00	0.00	0.00	0.00	0.00	
206-336-815.000	GENERAL INSURANCE	23,000.00	(4,250.00)	(4,278.00)	0.00	28.00	100.66	
206-336-861.000	TAX CHARGE BACK	500.00	500.00	118.34	0.00	381.66	23.67	
206-336-975.000	LOAN PAYMENT	29,300.00	86,705.00	86,704.50	0.00	0.50	100.00	
206-336-980.000	SMALL CAPITAL	40,000.00	47,000.00	43,825.96	6,579.51	3,174.04	93.25	
206-336-985.000	LONG TERM CAPITAL	169,454.00	510,454.00	310,399.73	218,031.18	200,054.27	60.81	
Total Dept 336-FIRE FUND		901,754.00	1,327,728.00	925,486.94	275,318.74	402,241.06	69.70	
TOTAL Expenditures		901,754.00	1,327,728.00	925,486.94	275,318.74	402,241.06	69.70	
Fund 206 - FIRE FUND:								
TOTAL REVENUES		901,754.00	1,417,954.00	1,231,514.85	242,877.41	186,439.15	86.85	
TOTAL EXPENDITURES		901,754.00	1,327,728.00	925,486.94	275,318.74	402,241.06	69.70	
NET OF REVENUES & EXPENDITURES		0.00	90,226.00	306,027.91	(32,441.33)	(215,801.91)	339.18	
TOTAL REVENUES - ALL FUNDS								
TOTAL EXPENDITURES - ALL FUNDS		901,754.00	1,417,954.00	1,231,514.85	242,877.41	186,439.15	86.85	
NET OF REVENUES & EXPENDITURES		0.00	90,226.00	306,027.91	(32,441.33)	(215,801.91)	339.18	



3342 Blue Star Highway  
Saugatuck, MI 49453  
Phone: 269 857-3000  
E-mail: [stfd-clerk@outlook.com](mailto:stfd-clerk@outlook.com)

March 17, 2016

## Truck #2171 – 2008 Ford F150 Repair/Replacement Options for Discussion

### History

The truck is a 2008 Ford F150 with 112,283 miles on it. A few months ago, the truck began misfiring and was taken to Barber Ford in Holland for service. It received a full tune up, and was returned running okay. After a few weeks, it began misfiring again. After reporting it and scheduling a time to return it to Barber Ford, the truck began a loud knocking noise. It was returned to Barber Ford where they replaced a faulty spark plug, and cleared the misfire code. It was the mechanic's opinion that the knocking noise was in the lower end of the motor and the engine needed replacement. After returning to Saugatuck, and while discussions began about what to do next, the transmission lost the reverse gear and now needs rebuilding as well. The bed had some rust repairs completed when it was purchased 3 years ago, and the paint is beginning to bubble again and is still rusting. Currently the truck was manually pushed into the truck bay and has been out of service for a few weeks while options have been reviewed and discussed by personnel.

### Options

1. Have transmission only rebuilt, and see how long engine will last with unknown lower end knocking at an approximate cost of \$1,800.
2. Have transmission rebuilt, and new engine installed at an approximate cost of \$7,786 and maintain the truck in service for approximately 2-3 more years.
3. Sell truck as is without performing any repairs, and purchase new replacement. Estimated current sale value with transmission and engine in current condition is \$3,000-\$3,500. New replacement truck and outfitting will cost approximately \$45,000 that was already in the capital plan for the 2016 budget year.







Date: 2/15/2016 01:4  
 Estimate ID: 73  
 Estimate Version: 0  
 Preliminary  
 Profile ID: \* DOORRATE

## Saugatuck Collision

3295 Blue Star Highway, Saugatuck, MI 49453  
 (269) 455-5059

Damage Assessed By: Adam Zalsman  
 Classification: None

Deductible: UNKNOWN

Owner: CHRIS MANTELS  
 Address: SAUGATUCK FIRE DEPT.,  
 Telephone: Work Phone: (269) 857-3000

Mitchell Service: 910158

Description: 2008 Ford Pickup F150 FX4  
 Body Style: 4D PkupCrw 6' Bed 139" WB  
 VIN: 1FTPW14VX8FA27899  
 OEM/ALT: O  
 Options: PASSENGER AIRBAG, POWER LOCK, POWER WINDOW, POWER STEERING, AIR CONDITIONING  
 CRUISE CONTROL, TILT STEERING COLUMN, AM/FM STEREO, DRIVER AIRBAG, SKID PLATES  
 ANTI-LOCK BRAKE SYS., FOG LIGHTS, ALUM/ALLOY WHEELS  
 TIRE INFLATION/PRESSURE MONITOR, AUXILIARY INPUT, LEATHER STEERING WHEEL  
 CD PLAYER, POWER ADJUSTABLE EXTERIOR MIRROR, PRIVACY GLASS, CLOTH SEAT  
 4 WHEEL DRIVE, SIDE AIRBAGS, AUTOMATIC HEADLIGHTS, THIRD DOOR, MP3 PLAYER  
 4 DOORS, DRIVER SEAT WITH POWER LUMBAR SUPPORT  
 FRONT SEATS WITH POWER LUMBAR SUPPORT, KEYLESS ENTRY SYSTEM  
 LIMITED SLIP DIFFERENTIAL

Drive Train: 5.4L Inj 8 Cyl 4WD  
 Search Code: None

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
<u>Engine/Trans</u>							
1	002875	MCH	REMOVE/INSTALL	Engine & Trans Assy -M			10.4
<u>MANUAL ENTRIES</u>							
2	900500	MCH*	REMOVE/REPLACE	engine	Remanufactured	1,800.00 *	0.0*
3	900500	MCH*	REMOVE/REPLACE	transmission	Remanufactured	3,400.00 *	0.0*
<u>Cab</u>							
4	002914	BDY	REMOVE/INSTALL	Cab Shell Assy	Existing		36.8 #r
5		MCH	REMOVE/REPLACE	Add To R&R Mechanical Components -M			10.6 #
<u>Additional Costs &amp; Materials</u>							
6			ADD'L COST	Shop Materials		368.00 *	

\* - Judgment Item  
 # - Labor Note Applies  
 r - CEG R&R Time Used For This Labor Operation

ESTIMATE RECALL NUMBER: 02/15/2016 13:46:08 73  
 Mitchell Data Version: OEM: JAN\_16\_V

Software Version: 7.1.200

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Date: 2/15/2016 01:4  
 Estimate ID: 73  
 Estimate Version: 0  
 Preliminary  
 Profile ID: \* DOORRATE



### Estimate Totals

I. Labor Subtotals	Units	Rate	Add'l Labor Amount	Sublet Amount	Totals	II. Part Replacement Summary	Amount
Body	36.8	38.00	0.00	0.00	1,398.40 T	Taxable Parts	5,200.00
Mechanical	21.0	38.00	0.00	0.00	798.00 T	Sales Tax @ 6.000%	312.00
					Taxable Labor	Total Replacement Parts Amount	5,512.00
					2,196.40		
Labor Summary	57.8				2,196.40		
III. Additional Costs						IV. Adjustments	
					Amount		Amount
Taxable Costs					368.00	Customer Responsibility	0.00
Sales Tax @ 6.000%					22.08		
Total Additional Costs					390.08		
						I. Total Labor:	2,196.40
						II. Total Replacement Parts:	5,512.00
						III. Total Additional Costs:	390.08
						Gross Total:	8,098.48
						IV. Total Adjustments:	0.00
						Net Total:	8,098.48

This is a preliminary estimate.  
Additional changes to the estimate may be required for the actual repair.

*Less Tax = 312.00*  
*\$7786.48*



## Funding Approval Form

March 17<sup>th</sup>, 2016

**ITEM DESCRIPTION:**

Truck #2171 – 2008 Ford F150 – Transmission & Engine Replacement

**PRIORITY:**

High

**QUALITY FACTORS:**

Engine has bad knock in lower end, possibly bearings or other items. Transmission lost reverse gear and needs to be rebuilt.

**COST:**

\$7,786 – Estimate Only. Could be more or less depending on what is found during repair.

**BUDGETED:**

None

**FUNDING SOURCE(S):**

Operating Budget

**REQUESTER:**

Chief Greg Janik

**Fire Board Vote - Date:** \_\_\_\_\_

Motion: \_\_\_\_\_

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_



# SAUGATUCK TOWNSHIP FIRE DISTRICT



## Funding Approval Form

March 17<sup>th</sup>, 2016

**ITEM DESCRIPTION:**

Truck #2171 – 2008 Ford F150 – Truck Replacement

**PRIORITY:**

High

**QUALITY FACTORS:**

Replacing truck rather than repairing bad engine and transmission may be a more cost effective option.

**COST:**

\$45,000 – Estimate Only.

**BUDGETED:**

Capital Plan – 2016 Budget Year

**FUNDING SOURCE(S):**

Capital Plan

**REQUESTER:**

Chief Greg Janik

**Fire Board Vote - Date:** \_\_\_\_\_

Motion: \_\_\_\_\_

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

- ▶ Keep in mind that committees and subcommittees are subject to the OMA, except those which adopt a non-policy making resolution of tribute or memorial. Committees that include no members of the public body itself can be subject to the OMA.
- ▶ A sub quorum committee of the council that is appointed to “only make a recommendation” to the public body can be subject to the OMA.



### Communications Technology – Is it a “Meeting”?

- ▶ If e-mail is used by members of a public body to for substantive discussions about matters pending before that unit of government, this may be viewed as a “meeting” under the OMA . . . not addressed by a Michigan court . . . yet.
- ▶ Keep the intent of the Act in mind . . . did the members of the public body just passively receive some e-mails, or did they actively exchange e-mails showing an intent to deliberate.
- ▶ At the very least, be careful if you hit “reply to all”
- ▶ Blog / is everyone “in” the chat room at the same time?

# OPEN MEETINGS ACT

Act 267 of 1976; Eff. Mar. 31, 1977

AN ACT to require certain meetings of certain public bodies to be open to the public; to require notice and the keeping of minutes of meetings; to provide for enforcement; to provide for invalidation of governmental decisions under certain circumstances; to provide penalties; and to repeal certain acts and parts of acts.

*The People of the State of Michigan enact:*

## **15.261 Short title; effect of act on certain charter provisions, ordinances, or resolutions.**

Sec. 1. (1) This act shall be known and may be cited as the "Open meetings act".

(2) This act shall supersede all local charter provisions, ordinances, or resolutions which relate to requirements for meetings of local public bodies to be open to the public.

(3) After the effective date of this act, nothing in this act shall prohibit a public body from adopting an ordinance, resolution, rule, or charter provision which would require a greater degree of openness relative to meetings of public bodies than the standards provided for in this act.

**History:** 1976, Act 267, Eff. Mar. 31, 1977.

## **15.262 Definitions.**

Sec. 2. As used in this act:

(a) "Public body" means any state or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, which is empowered by state constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or perform a governmental or proprietary function, or a lessee thereof performing an essential public purpose and function pursuant to the lease agreement.

(b) "Meeting" means the convening of a public body at which a quorum is present for the purpose of deliberating toward or rendering a decision on a public policy.

(c) "Closed session" means a meeting or part of a meeting of a public body which is closed to the public.

(d) "Decision" means a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, order, ordinance, bill, or measure on which a vote by members of a public body is required and by which a public body effectuates or formulates public policy.

**History:** 1976, Act 267, Eff. Mar. 31, 1977.

## **15.263 Meetings, decisions, and deliberations of public body; requirements; attending or addressing meeting of public body; tape-recording, videotaping, broadcasting, and telecasting proceedings; rules and regulations; exclusion from meeting; exemptions.**

Sec. 3. (1) All meetings of a public body shall be open to the public and shall be held in a place available to the general public. All persons shall be permitted to attend any meeting except as otherwise provided in this act. The right of a person to attend a meeting of a public body includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of a public body at a public meeting. The exercise of this right shall not be dependent upon the prior approval of the public body. However, a public body may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

(2) All decisions of a public body shall be made at a meeting open to the public.

(3) All deliberations of a public body constituting a quorum of its members shall take place at a meeting open to the public except as provided in this section and sections 7 and 8.

(4) A person shall not be required as a condition of attendance at a meeting of a public body to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance.

(5) A person shall be permitted to address a meeting of a public body under rules established and recorded by the public body. The legislature or a house of the legislature may provide by rule that the right to address may be limited to prescribed times at hearings and committee meetings only.

(6) A person shall not be excluded from a meeting otherwise open to the public except for a breach of the peace actually committed at the meeting.

(7) This act does not apply to the following public bodies only when deliberating the merits of a case:

(a) The worker's compensation appeal board created under the worker's disability compensation act of 1969, Act No. 317 of the Public Acts of 1969, as amended, being sections 418.101 to 418.941 of the Michigan Compiled Laws.

(b) The employment security board of review created under the Michigan employment security act, Act No. 1 of the Public Acts of the Extra Session of 1936, as amended, being sections 421.1 to 421.73 of the Michigan Compiled Laws.





## Five Ways to Avoid Violating the Open Meetings Act

### AUTHORS/CONTRIBUTORS

Anne M. Seurnyck

Anne M. Seurnyck  
*Foster Swift Municipal Law News*

### PRACTICE AREAS

Municipal Law  
Open Meetings Act

**November 2010**

Municipal boards, commissions, Zoning Board of Appeals and many municipal committees are subject to the Open Meetings Act ("OMA"). While officials often receive training regarding the basics of the OMA, municipalities often make some common mistakes that can easily be avoided. Below we have addressed five

mistakes and how to avoid them.

### 1. REMEMBER THE OMA WHEN COMMUNICATING BY E-MAIL.

Using e-mail to conduct business may result in a violation of the OMA. The OMA requires that meetings be open to the public:

All meetings of a public body shall be open to the public and shall be held in a place available to the general public. All persons shall be permitted to attend any meeting except as otherwise provided in this Act. The right of a person to attend a meeting of a public body includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of a public body at a public meeting.

MCL 15.263(1). A "meeting" is "the convening of a public body at which a quorum is present for the purpose of deliberating toward or rendering a decision on a public policy." In addition, all decisions have to be made at a meeting open to the public. If municipal board members are discussing or seeking a consensus on board issues, such an action must be made in an open meeting.

Using e-mail to communicate with other Board members about policy and other Board decisions may violate the OMA. Generally, two members of a board (unless they are considered a quorum of a subcommittee or other "public body") are not prohibited from discussing board issues with one another; however, if a quorum of the board or subcommittee discusses matters via e-mail, then the board might find itself in violation of the OMA. By way of example, if an e-mail was sent to several board members regarding an issue and board members replied to all recipients of that e-mail, there may be a tendency for a "discussion" to take place. Even if only one or two members responded, messages and responses from other board members may be forwarded to other members so that it may look as though a "round robin" type of discussion is occurring. The OMA requires that all decisions of public bodies be made in the open. Since there is no notice and no opportunity for the public to participate in e-mail discussion, this type of "meeting" does not comply with the OMA.

To avoid this common mistake, the municipality should develop an e-mail policy that addresses both use of e-mail and the retention of e-mail records.

## **2. BE CAREFUL HOW THE MUNICIPALITY HANDLES THE PUBLIC AT MEETINGS.**

As stated above, the right to attend a meeting of a public body includes the right to tape record, videotape, and broadcast the public proceedings via live radio and television. The municipality may not prevent an attendee from videotaping or recording a board meeting. If the municipality asks a person to refrain from videotaping the meeting, they would be in violation of the OMA.

Similarly, the OMA provides that all persons in attendance at a public meeting have the right to address the public body. Municipalities should consider how it handles the public comment portion of the meeting. Although municipalities can place reasonable limitations on speakers during public comment, such as limiting each speaker to a reasonable amount of time, they may not limit the total time of public comment. For example, they should not have a policy that limits the total time of public comment to a half hour.

## **3. AVOID THE APPEARANCE OF A SECRET MEETING.**

As previously noted, discussing municipal business with a quorum of board members outside of an open meeting violates the OMA. Some lawsuits are filed because the public body makes a decision at a meeting with absolutely no discussion. When it appears there should have been a public discussion, such as when the issue is controversial, members of the public sometimes assume that a meeting was held in private and discussion took place "behind closed doors," and file a lawsuit. Obviously, a quorum of the municipal board should not be discussing business if they are not at a meeting open to the public; however, they may also avoid such lawsuits by taking extra effort to discuss topics on the record so there is no appearance of an unlawful meeting.

## **4. AVOID DECISIONS IN CLOSED SESSION.**

The OMA requires that all decisions be made at an open meeting. A "decision," is defined in part as any determination, action, vote or disposition, on public policy may not be made in the closed session. To avoid an OMA violation, no substantive motions or Board actions should be taken in closed session.

## **5. UNDERSTAND THE SPECIFIC REASONS A MUNICIPALITY MAY MOVE INTO CLOSED SESSION TO DISCUSS EMPLOYMENT ISSUES.**

The OMA contains specific reasons that a board may meet in closed session regarding employment related issues. For example, a closed session may be called (1) to consider the dismissal, suspension, discipline, complaints, charges or periodic personnel evaluations of a public officer or employee, if the named person requests a closed hearing; or (2) for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement, if either party requests a closed session. These two exemptions are specific and narrow. Thus, not every employment-related issue falls into these two categories. For example, a municipality may not meet in closed session to negotiate the new contract for their manager. Similarly, a municipality may not meet in closed session to discuss budget cuts that may result in layoffs or the reduction of benefits. To avoid an OMA violation, they should only discuss the topics specifically allowed by law.