

ALPENA TOWNSHIP – BOARD OF TRUSTEES
SPECIAL SESSION – May 03, 2017 – 5:15 pm

MINUTES

The Alpena Township Board of Trustees met in Special session on Wednesday, May 03, 2017 at 5:15 pm at the Alpena Township Offices, 4385 US 23 North, Alpena, Michigan.

Present: Supervisor Nathan Skibbe
Treasurer Laura L. Ellery-Somers
Clerk Karie K. Bleau
Trustee Norm Poli
Trustee Matt Dunckel arrived 5:16
Trustee Cash Kroll Trustee
Nate Thomson arrived at 5:39pm

Absent:

Others present: Tim Gulden
Jim Florip

PURPOSE OF MEETING:

1. Water Litigation/Mediation
2. TPOAM – Negotiations

A motion was made by Trustee Poli and supported by Trustee Kroll to move that the Township Board go into closed session in order to consider a confidential written legal opinion from the Township Attorneys, and to discuss trial or settlement strategy in connection with specific pending litigation that may have an adverse financial effect on the Township. Roll call vote was taken. Ayes: Trustee Poli, Clerk Bleau, Treasurer Ellery Somers, Trustee Kroll, Trustee Dunckel, Supervisor Skibbe. Nays: none. (Trustee Thomson had not arrived at the time of this vote) Motion carried.

A motion was made by Trustee Dunckel and supported by Trustee Poli to move into open session. Roll call vote was taken. Ayes: Clerk Bleau, Treasurer Ellery Somers, Trustee Kroll, Trustee Dunckel, Trustee Poli, Trustee Thomson, Supervisor Skibbe. Nays: none. Motion carried.

A motion was made by Trustee Thomson and supported by Trustee Dunckel that the Township Board authorize the Township Attorneys to pursue such proceedings in their discretion, as recommended in their confidential written legal opinion, and during the closed session, and to take such other actions as they deem will serve the interests of the Township and its citizens in the pending litigation. Roll call vote was taken. Ayes: Trustee Thomson, Clerk Bleau, Treasurer Ellery Somers, Trustee Kroll, Trustee Dunckel, Trustee Poli, Trustee Thomson, Supervisor Skibbe. Nays: none. Motion carried.

A motion was made by Trustee Dunckel and supported by Trustee Poli to move into closed session for a strategy and negotiation session connected with the TPOAM collective bargaining agreement. Roll call vote was taken. Ayes: Treasurer Ellery Somers, Trustee Kroll, Trustee Dunckel, Trustee Poli, Trustee Thomson, Clerk Bleau, Supervisor Skibbe. Nays: none. Motion carried.

A motion was made by Trustee Dunckel and supported by Trustee Poli to move into open session. Roll call vote was taken. Ayes: Trustee Kroll, Trustee Dunckel, Trustee Poli, Trustee Thomson, Clerk Bleau, Treasurer Ellery Somers, Supervisor Skibbe. Nays: none. Motion carried.

Discussion was held regarding which members of the Board of Trustees should be on the TPOAM contract negotiating team. Several Board members expressed that this issue had already been voted on at the April 24, 2017 meeting when the Board voted unanimously to approve the recommendations of the Personnel Committee which clearly stated that the Personnel Committee would function as the contract negotiating team. Supervisor Skibbe stated that Paul Postal, the TPOAM Union Representative was upset about the change and he believes there to be a state statute that requires him to participate in contract negotiations. Other Board members expressed their desire to have the Supervisor participate in the contract negotiations as that had been the case historically and "it made sense" to have the Supervisor be part of the contract negotiating team.

A motion was made by Trustee Dunckel and supported by Trustee Poli to move into open session. Roll call vote was taken. Ayes: Clerk Bleau, Treasurer Ellery Somers, Trustee Kroll, Trustee Dunckel, Trustee Poli, Trustee Thomson, Supervisor Skibbe. Nays: none. Motion carried.

A motion as made by Trustee Dunckel and supported by Trustee Thomson to have the Clerk, Supervisor, and Trustee Kroll be the contract negotiations team. Roll call vote was taken. Ayes: Trustee Kroll, Trustee Dunckel, Supervisor Skibbe. Nays: Trustee Poli, Trustee Thomson, Clerk Bleau, Treasurer Ellery Somers. Motion failed with 4 ayes, 3 nays.

FOIA questions – email/text. Attorney Tim Gulden addressed the Board of Trustees with an informational presentation regarding emails and text messages are subject to FOIA and retention of records schedules. He spoke in detail about electronic messages (texts and emails) and the types of messages and information that is subject to FOIA and for how long we have to retain that information. He advised that FOIA would apply to the information stored on both a personal and Township device. Gulden advised do not delete messages for at least 30 days.

A motion was made by Clerk Bleau and supported by Trustee Kroll to have Township Officials and employees only use their Alpena Township email address and not use text messages as a form of communication for official Township business.

A motion was made by Trustee and Dunckel supported by Trustee Thomson to withdraw the previous motion. Motion carried by unanimous vote. This Issue was tabled until the next meeting.

A motion to adjourn was made by Trustee Poli and supported by Trustee Dunckel. Unanimous voice vote. Motion carried. Meeting adjourned at 6:58pm

Respectfully submitted

Karie K. Bleau