

**VILLAGE OF NEWBERRY  
WATER AND LIGHT BOARD MEETING  
Tuesday, February 11, 2020  
Meeting Location: 302 East McMillan Ave  
Meeting Time: 5:30 p.m.**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. APPROVAL OF AGENDA** - Agendas are not final until approved by a majority vote of the Water & Light Board members.

**5. APPROVAL OF MINUTES**

1. Water and Light Board Meeting – Regular Session – Tuesday, January 14, 2020

**6. WATER AND LIGHT CHAIRPERSON ANNOUNCEMENTS**

1. None Prescheduled

**7. PUBLIC COMMENTS** – Prior to consideration of official business, citizens may speak on any matter citizens may wish to bring to the attention of the Water and Light Board. Please limit comments to 3 minutes.

1. None Prescheduled

**8. SUBMISSION OF BILLS AND FINANCIAL UPDATES**

1. Water & Light – Monthly Bills – JANUARY 2020

582	Electric Fund		\$106,164.68
591	Water Fund		\$6,460.99
<b>Total:</b>			<u><b>\$112,625.67</b></u>

582	Save the Bells Fund Balance Summary	\$12,108.83
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**9. PETITIONS AND COMMUNICATIONS** – Communications addressed to the Water and Light Board are distributed to all members and are acknowledged for information or are referred to a committee or staff for follow-up.

1. None Prescheduled

**10. INTRODUCTION AND ADOPTION OF ORDINANCES AND RESOLUTIONS**

1. None

**11. REPORTS OF VILLAGE MANAGEMENT** – The Village Manager and Superintendent of Water and Light may submit reports or information to the Water and Light Board as updates and consideration.

**1. Working Water and Light Superintendent**

- a. Monthly Report
- b. Electric Consumption/Billing Report
- c. Electric Demand Large Power Report
- d. Billed Electric kWh Report
- e. Work Orders Report
- f. Water Pumpage Report

**2. Interim Village Manager**

**12. UNFINISHED BUSINESS**

- 1. Memo on voting requirements – Jeff Jocks
  - a. For review
- 2. Ordinance A discussion
  - a. Non-Elector Eligibility for W&L Chairperson

**13. NEW BUSINESS**

- 1. Second Public Comment
- 2. EA amount change for Jan- June 2020

**14. COMMENTS BY BOARD MEMBERS**

**15. ADJOURNMENT - REGULAR SESSION**

NEWBERRY WATER & LIGHT BOARD  
REGULAR MEETING MINUTES  
January 14, 2020

**Present:** Board members: Vincent, Freese, Schnorr, Wendt.

**Absent:** Hardenbrook

**Also Present:** Clerk -Schummer, Interim Village Manager – Watkins, Lori Stokes, Bruce Lane, Scott Ouellette.

**Call to Order:** Chairman Vincent called the meeting to order at 5:30 p.m. at the Village of Newberry Offices, 302 East McMillan Avenue, followed by the Pledge of Allegiance.

**Approval of Agenda:** Moved by Freese, support by Wendt, **CARRIED**, to approve agenda with one addition – Under *Petitions and Communications*, add: Customer Inquiry. Ayes: All. Absent: Hardenbrook.

**Approval of Minutes:** Moved by Freese, support by Wendt, **CARRIED**, to approve the minutes for the December 9, 2019 W&L meeting, with one correction. Under *Unfinished Business* -1.) Selection of Chairperson: Read -Ayes: Vincent, Freese, Hardenbrook, Schnorr. Nay: Wendt. Now reads – Ayes: Vincent, Freese Hardenbrook. Nays: Wendt. Abstain: Schnorr. Ayes: All. Absent: Hardenbrook.

**Water and Light Chairperson Announcements:** None.

**Public Comments on Agenda Items:** None.

**Submission of Bills and Financial Updates:**

- A.) **Water & Light – Monthly Bills – December 2019** - Motion by Freese, support by Schnorr, **CARRIED**, recommend Village Council pay the December Electric Fund bill in the amount of \$138,836.46. Ayes: All. Absent: Hardenbrook. Motion by Wendt, support by Freese, **CARRIED**, to recommend Village Council pay the December Water Fund bill in the amount of \$4,845.53. Discussion followed. Ayes: All. Absent: Hardenbrook.
- B.) **Christmas Light Fund** – Fund amount is \$13,372.59.
- C.) **Request for Disbursement of Funds:** Moved by Freese, support by Wendt, **CARRIED**, to recommend the Village Council approve the request for the disbursement of the Union Settlement – third (final) installment payment of \$5,000.00 Ayes: All. Absent: Hardenbrook.
- D.) **Perceptive Controls – Computer & Software for SCADA Well monitoring system:** Moved by Freese, support by Schnorr, **CARRIED**, to recommend the Village Council approve the Perceptive Control proposal for Computer and Software, in the amount of \$4,750.00 and Alarming with remote notification, in the amount of \$4,800.00. Watkins gave an explanation of the proposal. Ayes: All. Absent: Hardenbrook.

**Petitions and Communications:** Customer Inquiry. Moved by Freese, support by Wendt, **CARRIED**, to recommend to Council to refer the issue to the Ordinance Committee regarding multiple residence on a single use utility line. Discussion followed. Ayes: All. Absent: Hardenbrook.

**Introduction and Adoption of Ordinances and Resolutions:** None.

**Reports of Village Management:**

- 1.) Superintendent of Water and Light: A written report was submitted by W&L acting Superintendent Dan Kucinskas. Watkins gave a verbal report.
- 2.) Interim Village Manager: Watkins gave a verbal report, which included an update on the Community Development Block Grant application process. She also clarified voting rules: For Village Council – majority is the number of seats whether present or not. W&L Board – majority is the number of members present. If you abstain from voting in a meeting you must give a reason. Discussion followed.

**Unfinished Business:**

- 1.) 2019 Water Asset Management Plan – For review: Watkins stated the plan is not accurate and will need to be updated. The Water Main Criticality Table was also presented for review. Discussion followed.

**New Business:**

- 1.) Bond Amortization Schedules Review: The following schedules were presented for review: 2005 Water Supply Bond, 2009 Water Supply Bond, 2014 Water Supply Bond, 2002 Electric Bond, 2003 Electric Bond and 2005 Electric Bond. Discussion followed.

**Comments By Board Members:** Wendt stated he would like to add a Public Comment period to the meetings. This issue will be added to the agenda for the February meeting.

**Adjourn Meeting:** Motion by Wendt, support by Freese, **CARRIED**, to adjourn meeting at 6:20 p.m. Ayes: All. Absent: Hardenbrook.

These minutes are unapproved until voted on at the next meeting.

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Terese Schummer, Clerk

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Lawrence Vincent, Chairperson

**Water and Light Payables**  
**January 11, 2020 to February 7, 2020**

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Due Date	Amount	Check #
<b>Fund 582 Electric Fund</b>						
Dept 000						
582-000-042.000	UNAPPLIED CREDIT	BOYER STEVEN	UB refund for account: 5-07120-03	01/20/20	51.19	44012
582-000-042.000	UNAPPLIED CREDIT	UAW #2399	UB refund for account: 6-02360-00	01/20/20	69.69	44013
			<b>Total For Dept 000</b>		<b>120.88</b>	
<b>Dept 582 ELECTRIC DISTRIBUTION</b>						
582-582-726.000	LIFE INSURANCE	STANDARD, THE	LIFE INS PREM	01/31/20	7.71	44038
582-582-726.000	LIFE INSURANCE	STANDARD, THE	LIFE INS PREM	02/01/20	8.09	44038
582-582-850.000	VERSE- LARGE CAPACITY MET	ATT U.VERSE	LARGE CAPACITY METER UVERSE	01/24/20	41.10	43976
			<b>Total For Dept 582 ELECTRIC DISTRIBUTION</b>		<b>56.90</b>	
<b>Dept 583 GENERAL EXPENSES</b>						
582-583-719.000	HOSPITALIZATION	44 NORTH	COBRA RETIREES	01/30/20	3.22	44023
582-583-725.000	WORKERS' COMPENSATION	MML WORKERS' COMP FUND	POLICY PREMIUM	12/15/19	612.92	44031
582-583-725.000	WORKERS' COMPENSATION	MML WORKERS' COMP FUND	WORKER COMP POLICY	03/15/20	612.67	44031
582-583-726.000	LIFE INSURANCE	STANDARD, THE	LIFE INS PREM	01/31/20	27.54	44038
582-583-726.000	LIFE INSURANCE	STANDARD, THE	LIFE INS PREM	02/01/20	28.87	44038
582-583-752.000	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES	DESK CALENDARS	02/12/20	10.01	44014
582-583-752.000	OFFICE SUPPLIES	NATIONAL OFFICE PRODUCTS	PAPER	02/10/20	19.87	44032
582-583-752.100	OPERATING SUPPLIES	POWER LINE SUPPLY COMPANY	TESTING GLOVES	02/08/20	1,527.50	44049
582-583-752.100	OPERATING SUPPLIES	POWER LINE SUPPLY COMPANY	GLOVE C10 T1 IN BLACK/YLLW	02/08/20	332.60	44049
582-583-752.100	OPERATING SUPPLIES	RAHILLY IGA	WATER	02/10/20	3.99	
582-583-752.100	OPERATING SUPPLIES	RAHILLY IGA	WATER	03/10/20	3.99	
582-583-759.000	GAS & OIL - ELECTRIC	WEX BANK - SPEEDWAY UNIVER	GAS/FUEL	02/21/20	244.96	
582-583-767.000	CLOTHING - UNIFORMS	AMAZON CAPITAL SERVICES	WORK BOOTS	02/08/20	179.95	44014
582-583-801.000	PROFESSIONAL & CONTRACTUA	EGL E CASHIER OFFICE	AIR QUALITY FEE	01/30/20	250.00	44050
582-583-801.000	PROFESSIONAL & CONTRACTUA	HELEN NEWBERRY JOY HOSPITAL	LAB	01/30/20	20.00	44025
582-583-801.000	PROFESSIONAL & CONTRACTUA	CLOVERLAND ELECTRIC CO-OP	POLE RENTAL	01/31/20	324.00	44044
582-583-801.000	PROFESSIONAL AND CONTRACT	RANGE TELECOMMUNICATIONS	MISSDIGS	02/10/20	12.42	

**Water and Light Payables**  
**January 11, 2020 to February 7, 2020**

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Due Date	Amount	Check #
582-583-850.000	TELEPHONE	VERIZON	ACCOUNT NUMBER 942077532-00001 FAX	02/07/20	11.35	44043
582-583-850.000	906-291-0055 HR	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	02/07/20	10.74	44043
582-583-850.000	906-291-0608 LINEMAN	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	02/07/20	21.48	44043
582-583-850.000	906-450-0919 LINEMAN	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	02/07/20	21.48	44043
582-583-850.000	906-291-0136 MECHANIC	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	02/07/20	21.48	44043
582-583-850.000	906-293-5681 W/L CLERK 40%	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	10.72	44043
582-583-850.000	906-291-1622 H.R.	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	6.98	44043
582-583-850.000	906-291-1627 W/L	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	13.97	44043
582-583-850.000	906-293-8531	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	13.40	44043
582-583-850.000	906-291-1625 FINANCE	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	6.98	44043
582-583-850.000	906-293-3433 GENRAL	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	6.98	44043
582-583-850.000	906-291-1223	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	6.98	44043
582-583-850.000	906-291-1621	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	6.98	44043
582-583-850.000	TELEPHONE	AT&T	WATER/LIGHT PHONE	02/07/20	115.18	44017
582-583-850.000	JAMADOTS INTERNET	HTC-HIAWATHA TELEPHONE CO	ACCT 00042108-7	02/26/20	23.75	
582-583-850.000	JAMADOTS - FIBER-OPTICS	HTC-HIAWATHA TELEPHONE CO	ACCT 00042364-7	02/25/20	25.00	
582-583-851.000	POSTAGE	ARISTA INFORMATION SYSTEMS	UB POSTAGE	01/31/20	247.96	44016
582-583-851.000	POSTAGE - STAMPS	TAHQUAMENON AREA CREDIT UN	POST OFFICE- CERTIFIED LETTER/STAMPS	01/23/20	18.70	44041
582-583-851.000	POSTAGE	TAHQUAMENON AREA CREDIT UN	POSTAGE	01/29/20	4.67	44041
582-583-900.000	PRINTING AND PUBLISHING	ARISTA INFORMATION SYSTEMS	UB BILLIG	01/30/20	271.70	44016
582-583-915.000	MEMBERSHIPS & SUBSCRIPTION	TAHQUAMENON AREA CREDIT UN	MIDEALS MEMBERSHIP	02/06/20	45.00	
582-583-921.000	HEAT	SEMCOENERGY GAS COMPANY	NATURAL GAS GENERATION BUILDING 23	01/27/20	278.17	43995
582-583-921.000	HEAT	SEMCOENERGY GAS COMPANY	NATURAL GAS 238.500	01/27/20	193.37	43995
582-583-921.000	HEAT	SEMCOENERGY GAS COMPANY	NATURAL GAS GENERATION BUILDING 23	02/25/20	267.54	
582-583-921.000	HEAT	SEMCOENERGY GAS COMPANY	NATURAL GAS 238.500	02/25/20	224.32	
582-583-932.000	VEHICLES REPAIRS & MAINTENANCE	LYNN AUTO PARTS INC.	EXTENSIO/CLMP VAL	02/10/20	11.98	44028
582-583-932.000	VEHICLES REPAIRS & MAINTENANCE	NEALS AUTOMOTIVE PARTS INC	VALVE STEM	02/10/20	9.88	44034
582-583-932.000	VEHICLES REPAIRS & MAINTENANCE	DANNY'S AUTO VALUE INC	FLEX FLUNNEL/ OIL FILTER	02/10/20	11.62	44021
582-583-932.000	VEHICLES REPAIRS & MAINTENANCE	BURBACH SALES & SERVICE	MT TIRE AND BALANCE	02/28/20	15.00	
582-583-935.000	PROPERTY LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK MANAGEMENT	LIABILITY INS	02/28/20	4,026.71	44030
582-583-935.000	PROPERTY LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK MANAGEMENT	LIABILITY INS	02/28/20	1,444.30	44030
			<b>Total For Dept 583 GENERAL EXPENSES</b>		<b>11,608.88</b>	

**Water and Light Payables**  
**January 11, 2020 to February 7, 2020**

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Due Date	Amount	Check #
Dept 585 BUILDING MAINTENANCE						
582-585-929.000	REPAIRS & MAINTENANCE	FOSTER HARDWARE	ICE MELT	02/10/20	17.99	44022
			<b>Total For Dept 585 BUILDING MAINTENANCE</b>		<b>17.99</b>	
Dept 586 PURCHASED POWER						
582-586-801.000	PROFESSIONAL AND CONTRACT	MICHIGAN PUBLIC POWER AGENC	GREEN PRICING SVC COMM/RENEWABLE E	01/25/20	81.61	44005
582-586-926.000	PURCHASED POWER	CLOVERLAND ELECTRIC CO-OP	MONTHLY POWER BILL	01/27/20	5,331.52	44044
582-586-926.000	PURCHASED POWER	CMS ENERGY RESOURCE MGT	CAPACITY	02/20/20	74,925.21	
582-586-926.100	ATC TRANSMISSION MONTHLY	AMERICAN TRANSMISSION COMP	PURCHASED POWER - CAPACITY	02/10/20	12,492.20	
			<b>Total For Dept 586 PURCHASED POWER</b>		<b>92,830.54</b>	
Dept 587 ENERGY OPTIMIZATION						
582-587-801.000	PROFESSIONAL & CONTRACTUA	MECA	MONTHLY INCENTIVES	01/30/20	497.02	44048
582-587-801.000	PROFESSIONAL & CONTRACTUA	MECA	MONTHLY INCENTIVES	02/07/20	1,032.47	44047
			<b>Total For Dept 587 ENERGY OPTIMIZATION</b>		<b>1,529.49</b>	
			<b>Total For Fund 582 Electric Fund</b>		<b>106,164.68</b>	

**Water and Light Payables**  
**January 11, 2020 to February 7, 2020**

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Due Date	Amount	Check #
<b>Fund 591 Water Fund</b>						
<b>Dept 536 WATER SYSTEM</b>						
591-536-719.000	HOSPITALIZATION	44 NORTH	COBRA RETIREES	01/30/20	2.70	44023
591-536-725.000	WORKERS' COMPENSATION	MMI WORKERS' COMP FUND	POLICY PREMIUM	12/15/19	752.33	44031
591-536-725.000	WORKERS' COMPENSATION	MMI WORKERS' COMP FUND	WORKER COMP POLICY	03/15/20	752.03	44031
591-536-726.000	LIFE INSURANCE	STANDARD, THE	LIFE INS PREM	01/31/20	89.43	44038
591-536-726.000	LIFE INSURANCE	STANDARD, THE	LIFE INS PREM	02/01/20	93.75	44038
591-536-752.000	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES	DESK CALENDARS	02/12/20	10.00	44014
591-536-752.000	OFFICE SUPPLIES	NATIONAL OFFICE PRODUCTS	PAPER	02/10/20	19.87	44032
591-536-752.100	OPERATING SUPPLIES	HAWKINS INC	AZONE 15	02/16/20	113.05	44046
591-536-752.100	OPERATING SUPPLIES	RAHILLY IGA	WATER	02/10/20	3.99	
591-536-752.100	OPERATING SUPPLIES	RAHILLY IGA	WATER	03/10/20	3.99	
591-536-759.000	GAS, OIL & GREASE - WATER	WEX BANK - SPEEDWAY UNIVERS	GAS/FUEL	02/21/20	244.96	
591-536-801.000	PROFESSIONAL & CONTRACTUA	SAULT STE MARIE CITY HALL	MONTHLY WATER SAMPLES	02/07/20	54.00	44006
591-536-801.000	PROFESSIONAL & CONTRACTUA	HELEN NEWBERRY JOY HOSPITAL	LAB	01/30/20	20.00	44025
591-536-801.000	PROFESSIONAL & CONTRACTUA	RANGE TELECOMMUNICATIONS	MISSDIGS	02/10/20	12.42	
591-536-850.000	FAX	VERIZON	ACCOUNT NUMBER 942077532-00001 FAX	02/07/20	11.35	44043
591-536-850.000	906-291-0055 HR	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	02/07/20	10.74	44043
591-536-850.000	906-450-0919 LINEMAN	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	02/07/20	21.48	44043
591-536-850.000	906-291-0608 LINEMAN	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	02/07/20	21.48	44043
591-536-850.000	906-293-5681 W/L CLERK 40%	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	10.72	44043
591-536-850.000	906-293-3433 GENERAL	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	6.98	44043
591-536-850.000	906-291-1625 FINANCE	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	6.98	44043
591-536-850.000	906-291-1627 W/L	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	13.97	44043
591-536-850.000	906-291-1622 H.R.	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	6.98	44043
591-536-850.000	906-291-1621	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	6.98	44043
591-536-850.000	906-291-1223	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	02/07/20	6.98	44043
591-536-850.000	TELEPHONE	AT&T	WATER/LIGHT PHONE	02/07/20	115.17	44017

**Water and Light Payables**  
**January 11, 2020 to February 7, 2020**

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Due Date	Amount	Check #
591-536-830.000	JAMADOTS INTERNET	HTC-HIA WATHA TELEPHONE CO	ACCT 00042108-7	02/26/20	23.75	
591-536-830.000	JAMADOTS FIBER- OPTICS	HTC-HIA WATHA TELEPHONE CO	ACCT 00042364-7	02/25/20	25.00	
591-536-851.000	POSTAGE	ARISTA INFORMATION SYSTEMS	UB POSTAGE	01/31/20	139.87	44016
591-536-851.000	POSTAGE - STAMPS	TAHOUEMENON AREA CREDIT UN	POST OFFICE- CERTIFIED LETTER/STAMPS	01/23/20	18.70	44041
591-536-900.000	PUBLISHING & PRINTING	ARISTA INFORMATION SYSTEMS	UB BILLIG	01/30/20	153.27	44016
591-536-910.000	PROFESSIONAL DEVELOPMENT	TAHOUEMENON AREA CREDIT UN	STATE OF MICHIGAN LEAD AND COPPER C	01/28/20	100.00	44041
591-536-910.000	PROFESSIONAL DEVELOPMENT	STATE OF MICHIGAN	WATER TEST	02/01/20	70.00	44039
591-536-910.000	PROFESSIONAL DEVELOPMENT	STATE OF MICHIGAN	WATER TEST S-3	02/29/20	70.00	
591-536-915.000	MEMBERSHIPS & SUBSCRIPTION	TAHOUEMENON AREA CREDIT UN	MIDEALS MEMBERSHIP	02/06/20	45.00	
591-536-921.000	HEAT	SEMCOENERGY GAS COMPANY	NATURAL GAS 238.500	01/27/20	193.37	43995
591-536-921.000	HEAT	SEMCOENERGY GAS COMPANY	NATURAL GAS 238.500	02/25/20	224.31	
591-536-929.000	REPAIRS & MAINTENANCE	TAHOUEMENON AREA CREDIT UN	BADGER METER- SHIPPING	01/09/20	9.48	
591-536-932.000	VEHICLES REPAIRS & MAINTENANCE	DANNY'S AUTO VALUE INC	FLEX FLUNNEL/ OIL FILTER	02/10/20	11.62	44021
591-536-932.000	VEHICLES REPAIRS & MAINTENANCE	DANNY'S AUTO VALUE INC	WINTER WIPER SOLVENT	01/31/20	18.36	
591-536-935.000	PROPERTY LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK MAN	LIABILITY INS	02/28/20	2,168.23	44030
591-536-935.000	PROPERTY LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK MAN	LIABILITY INS	02/28/20	777.70	44030
			<b>Total For Dept 536 WATER SYSTEM</b>		<b>6,460.99</b>	
			<b>Total For Fund 591 Water Fund</b>		<b>6,460.99</b>	
		Fund Totals:				
			Fund 582 Electric Fund		106,164.68	
			Fund 591 Water Fund		6,460.99	
			<b>Total For All Funds:</b>		<b>112,625.67</b>	



# First National Bank

## Main Office:

P.O. Box 187 \* 132 North State Street  
St. Ignace, Michigan 49781  
Voice: 906-643-6800 Fax: 906-643-6808

## Les Cheneaux Branch

P.O. Box 177 - 192 S Meridian St.  
Cedarville, MI 49719 \* 906-484-2262

## Mackinac Island Branch

P.O. Box 534 - 534 Market St.  
Mackinac Island, MI 49757 \* 906-847-3732

## West Mackinac Branch

P.O. Box 142 - W11635 West U.S. 2  
Naubinway, MI 49762 \* 906-477-6263

## Newberry Branch

P.O. Box 466 - 1014 S. Newberry Ave.  
Newberry, MI 49868 \* 906-293-5160

1358316

NEWBERRY WATER & LIGHT BOARD  
NEWBERRY SAVE THE BELLS  
307 E MCMILLAN AVE  
NEWBERRY MI 49868

Date 1/31/20 Page 1 of 1  
ACCOUNT NUMBER 7703432

### MUNICIPAL MONEY MARKET

ACCOUNT NUMBER 7703432  
PREVIOUS BALANCE 13,372.59  
1 CREDITS TOTALING 250.00  
1 DEBITS TOTALING 1,519.47  
SERVICE CHARGE AMOUNT .00  
INTEREST PAID 5.71  
CURRENT STMT BALANCE 12,108.83

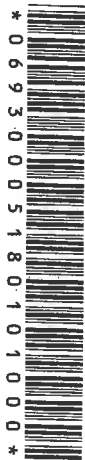
Statement Dates 1/01/20 thru 2/02/20  
DAYS IN STATEMENT PERIOD 33  
AVERAGE LEDGER BAL 12,641  
AVERAGE COLLECTED BAL 12,641  
Interest Earned 5.71  
Annual Percentage Yield Earned 0.50%  
2020 Interest Paid 5.71

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DEPOSITS AND OTHER CREDITS  
DATE DESCRIPTION AMOUNT  
1/15 DDA REGULAR DEPOSIT 250.00  
2/02 INTEREST PAID 33 DAYS 5.71  
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OTHER DEBITS  
DATE DESCRIPTION AMOUNT  
1/15 TRANSFER PER gary moulton, glr 1,519.47  
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DAILY BALANCE SUMMARY  
DATE BALANCE DATE BALANCE DATE BALANCE  
1/01 13,372.59 1/15 12,103.12 2/02 12,108.83  
\*\*\*\*\*

INTEREST RATE SUMMARY  
DATE INTEREST RATE  
12/31 .50%



# VILLAGE OF NEWBERRY



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302 East McMillan Avenue, Newberry, MI 49868 Phone: 906-293-3433 Fax: 906-293-8890

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## **Newberry Water and Light Dept Dan Kucinkas Water & Light Supt.**

- Visit from Environmental Engineering  
(Air Quality Inspection)
- Meetings with Water System Management Plan
- Meter Reads
- New Year Storm
- A lot of snow removal
- Set new pole on Co. Rd. 450
- Lead Copper Report
- Disconnects – Reconnects
- Annual Emissions Report Done
- Took our water samples in for testing
- Started taking down Christmas lights

If we had no winter, the spring would not be so pleasant

# 2019 - ELECTRIC CONSUMPTION / BILLING

	RESIDENTIAL					COMMERCIAL					LARGE POWER					DEMAND		
	ER KW	METERS	ER FUEL ADJ	EO BASE	ER AMT BILLED	EC KW	METERS	EC FUEL ADJ	EC AMT BILLED	LG KW	METERS	LG AMT BILLED	FUEL ADJ	DEMAND KW	METERS	DEMAND AMT BILLED		
2020																		
JAN	832976.00	1182	\$ 15,040.05	\$ 1,183.66	\$ 86,658.08	286253.00	214	\$ 5,159.08	\$ 33,347.17	525714.00	14	\$ 682.44	\$ 9,714.22	1549.00	13	\$ 14,255.40		
FEB																		
MAR																		
APR																		
MAY																		
JUN																		
JUL																		
AUG																		
SEPT																		
OCT																		
NOV																		
DEC																		
TOTAL	832976.00	1182.00	\$ 15,040.05	1183.66	\$ 86,658.08	286253.00	214.00	\$ 5,159.08	\$ 33,347.17	525714.00	14.00	\$ 682.44	\$ 9,714.22	1549.00	13.00	\$ 14,255.40		
AVG	832976	1182	15040.05	1183.66	86658.08	286253	214	5159.08	33347.17	525714	14	682.44	9714.22	1549	13	14255.4		

TOTAL KWh 1646.49  
AVERAGE MET 1423

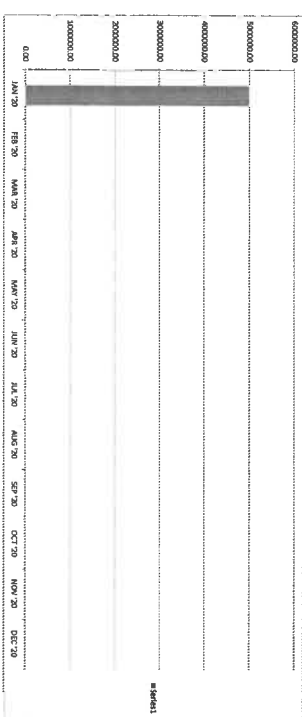
## Water & Light

### Electric Demand Report Large Power/Industrial 2020

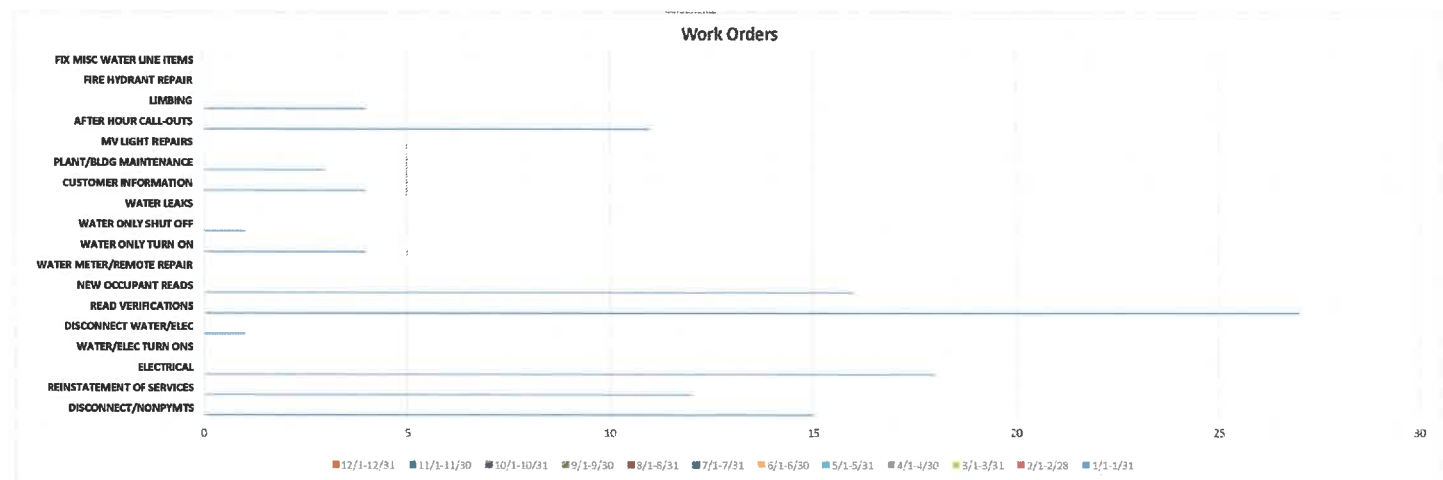
MONTH:	LG POWER/INDUSTRIAL	BILLED AMOUNT
DEC'19	1531.00	\$ 14,113.58
JAN '20	1549.00	\$ 14,255.40
FEB '20		
MAR '20		
APR '20		
MAY '20		
JUN '20		
JUL '20		
AUG '20		
SEP '20		
OCT '20		
NOV '20		
DEC '20		

Water & Light  
Billed Electric kWh Report - 2020

MONTH:	RES/COM kWh	DEM. BILLED	RES/COM BILL	CONSUMERS	MPRA	MSO	ATC	CEC-INTRO	2020 PAID	2019 PAID	2018 PAID	2017 PAID	2016 PAID	2015 PD.	\$METH. 2019 vs 2020
JAN 20	5001078.00	\$ 14,355.40	\$ 213,742.93	\$ 74,925.21		\$ 3,397.92	\$ 12,492.20		\$ 90,835.33	\$ 109,048.71	\$ 119,847.53	\$ 120,334.24	\$ 103,725.84	\$ 146,638.48	\$ 10,134.38
FEB 20										\$ 101,672.04	\$ 119,847.53	\$ 111,898.64	\$ 107,655.88	\$ 146,124.53	
MAR 20										\$ 99,435.07	\$ 109,464.90	\$ 114,431.64	\$ 130,780.97	\$ 135,105.29	
APR 20										\$ 95,210.19	\$ 106,956.15	\$ 106,484.00	\$ 98,265.91	\$ 114,707.13	
MAY 20										\$ 84,813.79	\$ 99,388.04	\$ 98,979.16	\$ 121,856.40	\$ 145,099.13	
JUN 20										\$ 75,868.75	\$ 82,750.55	\$ 101,696.18	\$ 106,919.67	\$ 121,802.67	
JUL 20										\$ 65,788.05	\$ 90,756.59	\$ 102,915.90	\$ 60,546.96	\$ 74,453.89	
AUG 20										\$ 80,481.43	\$ 115,480.83	\$ 101,013.56	\$ 118,566.76	\$ 55,814.19	
SEP 20										\$ 79,489.06	\$ 85,710.61	\$ 91,627.29	\$ 115,892.05	\$ 93,575.67	
OCT 20										\$ 75,095.13	\$ 84,092.82	\$ 97,767.67	\$ 107,256.72	\$ 121,946.54	
NOV 20										\$ 94,503.42	\$ 95,811.47	\$ 114,041.05	\$ 103,927.00	\$ 64,483.12	
DEC 20										\$ 94,672.40	\$ 101,589.66	\$ 123,777.90	\$ 111,349.60	\$ 157,862.67	
	5001078.00	\$ 14,255.40	\$ 211,742.93	\$ 74,925.21	\$ -	\$ 3,397.92	\$ 12,492.20	\$ -	\$ 90,835.33	\$ 981,565.24	\$ 1,071,237.04	\$ 1,294,437.29	\$ 1,288,637.86	\$ 1,400,903.51	\$ 19,134.38



## Water & Light Work Orders Report - 2020

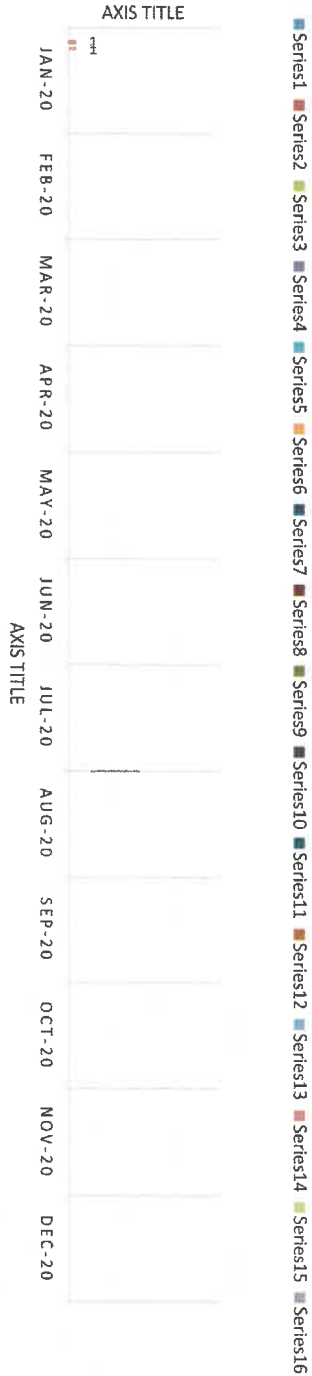
[illegible]

WATER AND LIGHT  
MISS DIGS

Water & Light  
Miss Digs  
January 2020

MISS DIGS	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20
000 RESPONSE PENDING												
001 NO CONFLICT	1											
002 MARKED	1											
003 NOT COMPLETE												
004 MARKED-UTILITY REQUIRED ON SITE DURING EXCAVATION												
005 ON GOING COORDINATION												
006 NOT MARKED-NO ACCESS TO WORK AREA												
007 STATED SCOPE OF WORK COMPLETED												
008 FACILITY RESPONSE NOT REQUIRED												
009 ADDITIONAL LOCATING REQUIRED												
010 EXEMPT FROM MARKING												
013 CANCELED												
201 DESIGN-TASK FACILITIES												
202 DESIGN-TASK COMPLETED												
203 DESIGN-MARKING REQUIRED												
999 HAS NOT RESPONDED												
TOTALS	2	0	0	0	0	0	0	0	0	0	0	0

WATER & LIGHT



## Memo

To: Village of Newberry Village Council, and Allison Watkins, Interim Village Manager

From: Jeffrey L. Jocks, Sondee, Racine & Doren, PLC

Date: January 20, 2020

Re: Council and Appointee Duties

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Allison Watkins asked me whether a council member or board appointee must vote at a meeting and when it is acceptable to abstain from voting. **Answer: All council members and board appointees must vote on every issue unless a member or appointee has a conflict of interest.**

### Duty to Vote

A member of any council or board in the Village must vote on every matter that comes before the council or board. In this context, a member means all elected and appointed persons on the Village Council, the Planning Commission, the Water and Light Board, and any other board created under law or Village Ordinances.

A member of a council or board has a fiduciary responsibility and obligation to vote on every matter. Each member swears the oath prior to taking their position which states: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and *that I will faithfully discharge the duties of the office...*". Michigan Const., 1963, Art. XI, Section 1 (emphasis added).

A member of a council or board "owe[s] a duty of loyalty to the public". *Macomb County Prosecutor v Murphy*, 464 Mich 149, 164 (2001).

All public officers are agents, and their official powers are fiduciary. They are trusted with public functions of the good of the public; to protect, advance and promote its interests.... *Id.*

The duties of each member include voting. A member of a council or board "cannot merely abstain from voting...because that would constitute a breach of duty of the office of the council member." *McPhail v Attorney General of State*, unpublished per curiam opinion of the Michigan Court of Appeals, Docket No. 248126 (Nov. 9, 2004). Michigan law makes it clear that a member of a council or board breaches the duty of public office if they fail to vote on a matter. See e.g., *Oakland County Prosecutor v Scott*, 237 Mich App 419, 424-25 (1999).

The only time the duty to vote is excepted is when the person has a conflict of interest. The Michigan Constitution states:



No member of the legislature nor any state officer shall be interested directly or indirectly in any contract with the state or any political subdivision thereof which shall cause a substantial conflict of interest. Michigan Const. 1963, Art. IV, Section 10.

In 1863, the Michigan Supreme Court stated:

All public officers are agents, and their official powers are fiduciary. They are trusted with public functions for the good of the public; to protect, advance and promote its interest, and not their own. And, a greater necessity exists than in private life for removing from them every inducement to abuse the trust reposed in them, as the temptations to which they are sometimes exposed are stronger, and the risk of detection and exposure is less. A judge cannot hear and decide his own case, or one in which he is personally interested. He may decide it conscientiously and in accordance with law. But that is not enough. The law will not permit him to reap a personal advantage from an official act performed in favor of himself. *People ex rel Plugger v Twp Bd of Overysse*, 11 Mich 222, 225 (1863).

Therefore, the fiduciary duties required of a council or board member to vote, also mean that if the member cannot carry out those duties when a specific issue comes before them then that member must disclose the reason for their conflict of interest, abstain from voting, and recuse themselves from discussion. Generally, a conflict of interest arises when a member has a personal or financial interest in the issue.

### **Conclusion**

All members of any council or board must vote on all matters before them. The only time that a member may abstain from voting is when they have a conflict of interest.

I recommend that you adopt a conflict of interest policy that provides guidance for members so that they can more easily determine when abstention is appropriate. If you'd like, I can assist with its drafting. Please let me know if you have any questions.

**Edits made 8.13.19 based on 8.6.2019 Work Session**

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**Edits made 8.14.19 based on 8.13.19 W&L Meeting**

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## ORDINANCE A

*This is an Ordinance Relative to the Management, Control and Use of the Water and Light Plants and Distribution Systems of the Village of Newberry.*

### THE VILLAGE OF NEWBERRY ORDAINS:

#### **A:1:1 Board:**

There is hereby created and constituted a Board under the name of the Newberry Water and Light Board to be composed of five members, except as provided in paragraph A:1:1a, who shall be electors of the Village, hereinafter referred to as "Board". The members of the Board shall be nominated by the Village President and approved by the Council. The appointment of members to the Newberry Water and Light Board shall be at the Council's regular October meeting.

#### **A:1:1a Council Members**

Two council members so appointed by the Village President and approved by the Council shall serve for a term of one (1) year; which terms shall commence at the date of appointment and shall expire upon the appointment of a successor at the regular Council meeting the following October.

#### **A:1:1b At Large Members:**

An at-large appointment shall be made at the regular October Village Council Meeting. The term of each member shall commence upon taking the oath of office. The term, of office shall be for three years and there shall be three (3) at large members serving. Each and every year, in the month of October, one (1) at-large member's term shall expire. Shall a vacancy arise during a member's term the Village President may present a candidate to the Village Council for approval of appointment to serve the remainder of the term associated with the vacant position. It is imperative that the at-large members' terms remain staggered so as not to allow more than one position's term to expire in the same year.

One at large member may be a customer and not elector. The customer member shall reside-be located within the service area of the Newberry Water and Light Board and be a current customer. A non -elector customer member, if nominated and approved may not serve as chairperson, or acting chairperson.

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Commented [A1]: Conversation took place regarding removing the requirement that a customer must reside at their billed location. It was agreed that the term "customer" needed to be more clearly defined.

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#### **A:1:1c Oath of Office:**

## **PUBLIC ATTENDING OPEN MEETINGS**

**Excluding individuals** – no one may be excluded from a meeting otherwise open to the public except for a breach of the peace actually committed at the meeting.<sup>65</sup>

**Identifying public attendees** – no one may be required to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attend a public meeting.<sup>66</sup>

Building security at the meeting site may cause issues. Members of the public might object, based on the OMA, to signing in to gain access to the building where a public meeting is being held.<sup>67</sup> We, therefore, recommend that public bodies meet in facilities or areas not subject to public access restrictions.

If the public body wishes the members of the public to identify themselves at the meeting, we suggest the board chair announce something like this:

The Board would appreciate having the members of the public attending the meeting today identify themselves and mention if they would like the opportunity to speak during the public comment period. However, you do not need to give your name to attend this meeting. When the time comes to introduce yourself and you do not want to do so, just say pass.

Since speaking at the meeting is a step beyond "attending" the public meeting and the OMA provides that a person may address the public body "under rules established and recorded by the public body," the board may establish a rule requiring individuals to identify themselves if they wish to speak at a meeting.<sup>68</sup>

**Limiting public comment** – a public body may adopt a rule imposing individual time limits for members of the public addressing the public body.<sup>69</sup> In order to carry out its responsibilities, the board can also consider establishing rules allowing the chairperson to encourage groups to designate one or more individuals to speak on their behalf to avoid cumulative comments. But a rule limiting the period of public comment may not be applied in a manner that denies a person the right to address the public body, such as by limiting all public comment to a half-hour period.<sup>70</sup>

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<sup>65</sup> MCL 15.263(6).

<sup>66</sup> MCL 15.263(4).

<sup>67</sup> In addition, "[a]ll meetings of a public body . . . shall be held in a place available to the general public." MCL 15.263(1).

<sup>68</sup> MCL 15.263(5). OAG, 1977-1978, No 5183, at p 34.

<sup>69</sup> OAG, 1977-1978, No 5332, p 536 (July 13, 1978). The rule must be duly adopted and recorded. OAG, 1977-1978, No 5183, at p 34.

<sup>70</sup> OAG No 5332 at p 538.

**Meeting location** – the OMA only requires that a meeting be held "in a place available to the general public;" it does not dictate that the meeting be held within the geographical limits of the public body's jurisdiction.<sup>71</sup> However, if a meeting is held so far from the public which it serves that it would be difficult or inconvenient for its citizens to attend, the meeting may not be considered as being held at a place available to the general public. Whenever possible, the meeting should be held within the public body's geographical boundaries.

**Timing of public comment** – a public body has discretion under the OMA when to schedule public comment during the meeting.<sup>72</sup> Thus, scheduling public comment at the beginning<sup>73</sup> or the end<sup>74</sup> of the meeting agenda does not violate the OMA. The public has no right to address the commission during its deliberations on a particular matter.<sup>75</sup>

**Taping and broadcasting** – the right to attend a public meeting includes the right to tape-record, videotape, broadcast live on radio, and telecast live on television the proceedings of a public body at the public meeting.<sup>76</sup> A board may establish reasonable regulations governing the televising or filming by the electronic media of a hearing open to the public in order to minimize any disruption to the hearing, but it may not prohibit such coverage.<sup>77</sup> And the exercise of the right to tape-record, videotape, and broadcast public meetings may not be dependent upon the prior approval of the public body.<sup>78</sup>

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<sup>71</sup> OAG, 1979-1980, No 5560, p 386 (September 13, 1979). Of course, local charter provisions or ordinances may impose geographical limits on public body meetings.

<sup>72</sup> MCL 15.263(5).

<sup>73</sup> *Lysogorski v. Bridgeport Charter Twp*, 256 Mich App at 302.

<sup>74</sup> OAG, 1979-1980, No 5716, p 812 (June 4, 1980).

<sup>75</sup> OAG, 1977-1978, No 5310, p 465, 468 (June 7, 1978).

<sup>76</sup> MCL 15.263(1).

<sup>77</sup> OAG, 1987-1988, No 6499, p 280 (February 24, 1988).

<sup>78</sup> MCL 15.263(1).

\$0.100793	← Monthly base rate.
\$0.045221	← Base case cost.
\$0.013520	← EA for 1st 6 months of 2020
\$0.017380	← EA for 2nd 6 months of 2019
Newberry Water & Light Board 307 East McMillan Avenue Newberry, MI 49868 Modified and updated Sep 2013 (PFL)	

Monthly base rate adopted in Aug 2012, and applied to Nov 2013 billing. There is also a \$9.00 meter base charge. Keep both until changed by board.  
Base case cost per kWh adopted at the time we modified our EA procedure in Mar 2007. Keep until changed by board.  
← Enter this EA figure from cell E33 of last year spreadsheet.  
← Enter this EA figure from cell E32 of this year spreadsheet.  
This sheet is in protected mode. Cells with this background color are not locked and can be changed.  
If protection is turned off, all cells can be edited. Formulas should not be modified without good reason.  
**After making a data entry, MAKE SURE TO SAVE before exiting.**  
this tan area is for notes, info, etc. The blue tab named "NOTES" at bottom shows more information.

## For Year

Jul - Dec 2019 & Jan - Jun 2020

For each new year, save the sheet for the next year and edit the year to the left. Use FILE>SAVE AS>NEWNAME to do this, where NEWNAME means the new year is used.

Billing month	Power Cost/ kWh	Base Case Cost/kWh	Increase/ (DECREASE) Base Case (%)	EA Real Cost Difference	Total EA Adjustment	Monthly Base Rate	Monthly Applied Rate
January (Dec bill) 2018	\$0.062348	\$0.045221	37.873%	\$0.017127			
February (Jan bill) 2019	\$0.065493	\$0.045221	44.829%	\$0.020272			
March (Feb bill) 2019	\$0.062924	\$0.045221	39.149%	\$0.017703	\$0.013520	\$0.100793	
April (Mar bill) 2019	\$0.069165	\$0.045221	52.949%	\$0.023944			
May (Apr bill) 2019	\$0.060566	\$0.045221	33.912%	\$0.015335			
June (May bill) 2019	\$0.055117	\$0.045221	21.884%	\$0.009866			
July (June bill) 2019	\$0.054366	\$0.045221	20.224%	\$0.009145			
August (July bill) 2019	\$0.054239	\$0.045221	19.942%	\$0.009018			
September (Aug bill) 2019	\$0.059089	\$0.045221	30.667%	\$0.013868	\$0.017380	\$0.100793	
October (Sep bill) 2019	\$0.056080	\$0.045221	28.436%	\$0.012859			
November (Oct bill) 2019	\$0.070206	\$0.045221	55.252%	\$0.024985			
December (Nov bill) 2019	\$0.056467	\$0.045221	24.870%	\$0.011246			
AVERAGES, Jan - Jun			38%	\$0.017380			
AVERAGES, Jul - Dec			29.90%	\$0.013520			

NOTE: Use this rate for Jan - June (of 2020) billing period. This is the rate for calculating customer billing.

NOTE: Use this rate for the July - Dec (of 2019) billing period. This is the rate for calculating customer billing.

Note: new EA for the second 6 months of this year (2019). (enter this value in cell A5 of this year spreadsheet)

Note: new EA for the first 6 months of NEXT year (2020). (enter this value in cell A4 of the new next year spreadsheet) when you make it.

Note: these fields (averages) populate automatically when the figures for Cloverland Cost/kWh are all filled in.