

VILLAGE OF NEWBERRY
WATER AND LIGHT BOARD MEETING
Tuesday, March 10, 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, February 11, 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 & Statements – FEBRUARY 2020

582	Electric Fund	\$94,676.80
591	Water Fund	\$12,020.73
Total:		\$106,697.53

582	Save the Bells Fund Balance Summary – as of 1/31/2020 February balance was unavailable at the time agenda went to print	\$12,108.83
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2. As of 12/31/2019, 50 tenant accounts are delinquent, for a total of \$22,768.77.
a. Request recommendation from Board that these be submitted to Northern Credit Bureau

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
 - a. Delinquent utility accounts – property owners
 - b. Delinquent utility accounts - tenants
 - c. Water rates review/water project planning - Overview Calendar
 - d. Lead/Copper compliance activities
 - i. Water Inventory Letter
 - ii. Unknown lead presence notification

12. UNFINISHED BUSINESS

1. SEMCO Bill Payment Amounts
 - a. Follow-up on question from board member

13. NEW BUSINESS

1. Rules & Procedures for W&L Board
2. Water Tower Replacement Planning

14. PUBLIC COMMENT

15. COMMENTS BY BOARD MEMBERS

16. ADJOURNMENT - REGULAR SESSION

NEWBERRY WATER & LIGHT BOARD
REGULAR MEETING MINUTES
February 11, 2020

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

Absent: None.

Also Present: Clerk -Schummer, Interim Village Manager – Watkins, Lori Stokes, 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 Wendt, support by Hardenbrook, **CARRIED**, to approve agenda as presented. Ayes: All.

Approval of Minutes: Moved by Freese, support by Schnorr, **CARRIED**, to approve the minutes for the January 14, 2020 W&L meeting as presented. Ayes: All.

Water and Light Chairperson Announcements: None.

Public Comments on Agenda Items: Comment heard from Scott Ouellette.

Submission of Bills and Financial Updates:

A.) **Water & Light – Monthly Bills – January 2020** - Motion by Freese, support by Wendt, **CARRIED**, recommend Village Council pay the January Electric Fund bill in the amount of \$106,164.68. Ayes: All. Motion by Schnorr, support by Hardenbrook, **CARRIED**, to recommend Village Council pay the January 2020 Water Fund bill in the amount of \$6,460.99. Discussion followed. Ayes: All.

B.) **Christmas Light Fund** – Fund amount is \$12,108.83.

Petitions and Communications: None.

Introduction and Adoption of Ordinances and Resolutions: None.

Reports of Village Management:

- 1.) Superintendent of Water and Light: W&L Superintendent Dan Kucinkas submitted a verbal as well as a written report and charts.
- 2.) Interim Village Manager: Watkins gave a verbal report. Discussion followed.

Unfinished Business:

- 1.) Memo on voting requirements from Village Attorney, Jeff Jocks, was presented to the Board for review.
- 2.) Ordinance A discussion: Non-Elector Eligibility for W&L Chairperson. Moved by Schnorr, support by Freese, **CARRIED**, to recommend Village Council change Ordinance A - 1 b., so that a non-electric customer member could be the Chairperson or acting Chairperson for the W&L Board. Discussion followed. Ayes: All.

New Business:

- 1.) Second Public Comment: Moved by Wendt, support by Schnorr, **CARRIED**, to add a second Public Comment time to the W&L Agenda, in the future, just before Comments by Board Members. Ayes: All.
- 2.) EA amount change for Jan – June 2020. Informational chart and explanation presented by Watkins. Discussion followed.

Comments By Board Members: Comment was heard from: Wendt, in regard to the Save the Bells Committee have it's own checking account.

Adjourn Meeting: Motion by Wendt, support by Hardenbrook, **CARRIED**, to adjourn meeting at 5:57 p.m. Ayes: All.

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

Terese Schummer, Clerk

Lawrence Vincent, Chairperson

Water and Light Payables
February 8, 2020 to March 6, 2020

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Due Date	Amount	Check #
Fund 582 Electric Fund						
Dept 000						
582-000-042.000	UNAPPLIED CREDIT	SIERSMA ERIC	UB refund for account: 5-06320-11	02/24/20	60.16	44102
			Total For Dept 000		60.16	
Dept 582 ELECTRIC DISTRIBUTION						
582-582-726.000	LIFE INSURANCE	STANDARD, THE	LIFE INS	03/01/20	8.09	44120
582-582-752.100	OPERATING SUPPLIES	POWER LINE SUPPLY COMPANY	CONNECTOR SERVICE ENTRANCE 6 STR 4 SC	04/02/20	256.75	
582-582-801.000	PROFESSIONAL & CONTRACTUAL	KENT POWER	GLOVE TESTING	04/01/20	254.12	
582-582-850.000	VERVERSE- LARGE CAPACITY METER	ATT U.VERSE	LARGE CAPACITY METER UVERSE	03/03/20	41.10	44058
582-582-850.000	VERVERSE- LARGE CAPACITY METER	ATT U.VERSE	LARGE CAPACITY METER UVERSE	03/23/20	41.10	
			Total For Dept 582 ELECTRIC DISTRIBUTION		601.16	
Dept 583 GENERAL EXPENSES						
582-583-719.000	HOSPITALIZATION	44 NORTH	COBRA RETIREES	03/17/20	3.22	44111
582-583-726.000	LIFE INSURANCE	STANDARD, THE	LIFE INS	03/01/20	28.87	44120
582-583-752.100	OPERATING SUPPLIES	FOSTER HARDWARE	SHIPPING	03/10/20	232.84	44110
582-583-759.000	GAS & OIL - ELECTRIC	RAHILLY IGA	WATER/AIR FRESHENER	03/10/20	4.98	44119
582-583-767.000	CLOTHING - UNIFORMS	WEX BANK - SPEEDWAY UNIVERSAL	GAS/FUEL	03/20/20	205.24	
582-583-767.000	CLOTHING - UNIFORMS	RITZ SAFETY	LINEMAN PANTS	03/01/20	209.61	44097
582-583-767.000	CLOTHING - UNIFORMS	ARAMARK	OFFICE UNIFORM TOPS	03/03/20	32.13	44054
582-583-801.000	PROFESSIONAL AND CONTRACTUAL	TAHOUEMENON AREA CREDIT UNION	UNIFORMS - 3 SHIRTS 3 JEANS	03/05/20	33.32	
582-583-801.000	PROFESSIONAL & CONTRACTUAL	CTC ENGINEERING	OFFICE CLEANING	02/28/20	100.00	44064
582-583-801.000	PROFESSIONAL & CONTRACTUAL	HELEN NEWBERRY JOY HOSPITAL	JANUARY RATE SCHEDULE REVIEW	03/03/20	200.00	44094
582-583-801.000	PROFESSIONAL & CONTRACTUAL	TAHOUEMENON AREA CREDIT UNION	LAB	03/06/20	42.50	44114
582-583-801.000	PROFESSIONAL AND CONTRACTUAL	RANGE TELECOMMUNICATIONS	RENEW DOMAIN NAME	02/18/20	48.27	44123
582-583-801.000	PROFESSIONAL AND CONTRACTUAL	FAIR, ALMA	MISSDIGS	03/02/20	12.00	
582-583-850.000	TELEPHONE	VERIZON	OFFICE CLEANING FEBRAURY	03/27/20	100.00	
582-583-850.000	906-291-0055 HR	VERIZON	ACCOUNT NUMBER 942077532-00001 FAX	03/07/20	11.36	44126
582-583-850.000	906-291-0608 LINEMAN	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	03/07/20	10.74	44126
582-583-850.000	906-450-0919 LINEMAN	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	03/07/20	21.48	44126
582-583-850.000	906-291-0136 MECHANIC	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	03/07/20	21.48	44126
582-583-850.000	906-291-1627 W/L	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	03/07/20	21.48	44126
582-583-850.000	906-293-8531	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	13.97	44126
582-583-850.000	906-291-1625 FINANCE	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	13.41	44126
582-583-850.000	906-293-3433 GENRAL	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	6.99	44126
582-583-850.000	906-293-5681 W/L CLERK 40%	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	10.72	44126
582-583-850.000	906-291-1223	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	6.99	44126
582-583-850.000	906-291-1621	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	6.99	44126
582-583-850.000	906-291-1622 H.R.	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	6.99	44126
582-583-850.000	JAMADOTS INTERNET	HTC-HIAWATHA TELEPHONE CO	ACCT 00042108-7	03/26/20	23.75	

Water and Light Payables
February 8, 2020 to March 6, 2020

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Due Date	Amount	Check #
582-583-850.000	JAMADOTS - FIBER-OPTICS	HTC-HIAWATHA TELEPHONE CO	ACCT 00042364-7	03/26/20	25.00	
582-583-851.000	POSTAGE	ARISTA INFORMATION SYSTEMS INC	UB POSTAGE	02/28/20	248.37	44104
582-583-851.000	POSTAGE	TAHOUEMENON AREA CREDIT UNION	DELINQUENT UTILITIES TAX LIEN NOTICES	03/05/20	12.26	
582-583-900.000	PRINTING AND PUBLISHING	ARISTA INFORMATION SYSTEMS INC	UB BILLIG	03/01/20	206.71	44104
582-583-900.000	PUBLISHING & PRINTING	SAULT-CHEBOYGAN MEDIA GROUP	CONSTRUCTION BID	03/10/20	16.60	
582-583-910.000	PROFESSIONAL DEVELOPMENT	WOLVERINE POWER COOPERATIVE	LINEMAN SCHOOLING	03/11/20	4,000.00	44100
582-583-921.000	HEAT	SEMCOENERGY GAS COMPANY	NATURAL GAS 238.500	03/24/20	215.63	
582-583-921.000	HEAT	SEMCOENERGY GAS COMPANY	NATURAL GAS GENERATION BUILDING 237.	03/24/20	250.23	
582-583-932.000	VEHICLES REPAIRS & MAINTENANCE	DANNY'S AUTO VALUE INC	BEARING HUB ASSY	03/10/20	56.22	44062
582-583-932.000	VEHICLES REPAIRS & MAINTENANCE	FRANKS AUTO REPAIR	REAR UJOINT REAR SHAFT FRONT RIGHT W	03/10/20	109.66	44112
			Total For Dept 583 GENERAL EXPENSES		6,577.00	
Dept 584 ELECTRIC GENERATION						
582-584-929.000	REPAIRS & MAINTENANCE	GORDY CRIBB	A&B QUARTERLY INSPECTION	03/10/20	250.00	44095
			Total For Dept 584 ELECTRIC GENERATION		250.00	
Dept 586 PURCHASED POWER						
582-586-801.000	PROFESSIONAL AND CONTRACTUAL	MICHIGAN PUBLIC POWER AGENCY	GREEN PRICING SVC COMM/RENEWABLE PO	02/25/20	128.86	44096
582-586-926.000	PURCHASED POWER	CLOVERLAND ELECTRIC CO-OP	MONTHLY POWER BILL	02/26/20	5,059.90	44092
582-586-926.000	PURCHASED POWER	CMS ENERGY RESOURCE MGT	CAPACITY	03/20/20	67,805.03	
582-586-926.100	ATC TRANSMISSION MONTHLY INV	AMERICAN TRANSMISSION COMPANY	PURCHASED POWER - CAPACITY	03/02/20	12,246.20	
			Total For Dept 586 PURCHASED POWER		85,239.99	
Dept 587 ENERGY OPTIMIZATION						
582-587-801.000	PROFESSIONAL & CONTRACTUAL	MECA	MONTHLY INCENTIVES	03/02/20	1,948.49	44130
			Total For Dept 587 ENERGY OPTIMIZATION		1,948.49	
			Total For Fund 582 Electric Fund		94,676.80	

Water and Light Payables
February 8, 2020 to March 6, 2020

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Due Date	Amount	Check #
Fund 591 Water Fund						
Dept 536 WATER SYSTEM						
591-536-719.000	HOSPITALIZATION	44 NORTH	COBRA RETIREES	03/17/20	2.70	44111
591-536-726.000	LIFE INSURANCE	STANDARD, THE	LIFE INS	03/01/20	93.75	44120
591-536-752.100	OPERATING SUPPLIES	LYNN AUTO PARTS INC.	END CAP FILTER PURCHASED ON INV. 88279	03/10/20	(5.99)	44116
591-536-752.100	OPERATING SUPPLIES	LYNN AUTO PARTS INC.	END CAP	03/10/20	5.99	44116
591-536-752.100	OPERATING SUPPLIES	FOSTER HARDWARE	OTTER SPORT SLEDE	03/10/20	74.99	44110
591-536-752.100	OPERATING SUPPLIES	RAHILLY IGA	WATER/AIR FRESHENER	03/10/20	4.98	44119
591-536-752.100	OPERATING SUPPLIES	HAWKINS INC	AZONE 15	03/19/20	135.66	44129
591-536-752.100	OPERATING SUPPLIES	AMAZON CAPITAL SERVICES	SPLITTER	04/03/20	9.99	
591-536-759.000	GAS, OIL & GREASE - WATER	WEX BANK - SPEEDWAY UNIVERSAL	GAS/FUEL	03/20/20	205.25	
591-536-767.000	UNIFORMS	ARAMARK	OFFICE UNIFORM TOPS	03/03/20	32.13	44054
591-536-767.000	UNIFORMS	TAHOUEMENON AREA CREDIT UNION	UNIFORMS - 3 SHIRTS 3 JEANS	03/05/20	33.32	
591-536-801.000	PROFESSIONAL & CONTRACTUAL SE	FEAIR, ALMA	OFFICE CLEANING	02/28/20	100.00	44064
591-536-801.000	PROFESSIONAL & CONTRACTUAL SE	SAULT STE MARIE CITY HALL	MONTHLY WATER SAMPLES	02/10/20	54.00	44098
591-536-801.000	PROFESSIONAL & CONTRACTUAL	HELEN NEWBERRY JOY HOSPITAL	LAB	03/06/20	42.50	44114
591-536-801.000	PROFESSIONAL & CONTRACTUAL	TAHOUEMENON AREA CREDIT UNION	RENEW DOMAIN NAME	02/18/20	48.27	44123
591-536-801.000	PROFESSIONAL & CONTRACTUAL	SILVERSMITH DATA	ANNUAL RENEWAL OF AST SOFTWARE SER	03/10/20	348.00	44131
591-536-801.000	PROFESSIONAL & CONTRACTUAL SE	RANGE TELECOMMUNICATIONS	MISSDIGS	03/02/20	12.00	
591-536-801.000	PROFESSIONAL & CONTRACTUAL SE	FEAIR, ALMA	OFFICE CLEANING FEBRAURY	03/27/20	100.00	
591-536-801.000	PROFESSIONAL & CONTRACTUAL SE	SAULT STE MARIE CITY HALL	MONTHLY WATER SAMPLES	03/12/20	54.00	
591-536-850.000	FAX	VERIZON	ACCOUNT NUMBER 942077532-00001 FAX	03/07/20	11.35	44126
591-536-850.000	906-291-0608 LINEMAN	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	03/07/20	21.48	44126
591-536-850.000	906-291-0055 HR	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	03/07/20	10.74	44126
591-536-850.000	906-450-0919 LINEMAN	VERIZON	ACCOUNT NUMBER 942077532-00002 - CELL	03/07/20	21.48	44126
591-536-850.000	906-293-5681 W/L CLERK 40%	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	10.72	44126
591-536-850.000	906-293-3433 GENERAL	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	6.99	44126
591-536-850.000	906-291-1625 FINANCE	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	6.99	44126
591-536-850.000	906-291-1627 W/L	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	13.97	44126
591-536-850.000	906-291-1622 H.R.	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	6.99	44126
591-536-850.000	906-291-1621	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	6.99	44126
591-536-850.000	906-291-1223	VERIZON	ACCOUNT NUMBER 942077532-00003 DESK	03/07/20	6.99	44126
591-536-850.000	JAMADOTS INTERNET	HTC-HIAWATHA TELEPHONE CO	ACCT 00042108-7	03/07/20	23.75	
591-536-850.000	JAMADOTS FIBER-OPTICS	HTC-HIAWATHA TELEPHONE CO	ACCT 00042364-7	03/26/20	25.00	
591-536-851.000	POSTAGE	ARISTA INFORMATION SYSTEMS INC	UB POSTAGE	02/28/20	140.11	44104
591-536-851.000	POSTAGE	TAHOUEMENON AREA CREDIT UNION	DELINQUENT UTILITIES TAX LIEN NOTICES	03/05/20	12.26	
591-536-900.000	PUBLISHING & PRINTING	ARISTA INFORMATION SYSTEMS INC	UB BILLIG	03/01/20	116.60	44104
591-536-900.000	PUBLISHING & PRINTING	MINING JOURNAL	CONSTRUCTION BID	03/27/20	33.48	
591-536-900.000	PUBLISHING & PRINTING	SAULT-CHEBOYGAN MEDIA GROUP	CONSTRUCTION BID	03/10/20	16.60	
591-536-913.000	TRAVEL	DAVID PATTERSON	MEALS	02/17/20	17.50	44090
591-536-921.000	HEAT	SEMCOENERGY GAS COMPANY	NATURAL GAS 238.500	03/24/20	215.63	
591-536-932.000	VEHICLES REPAIRS & MAINTENANCE	DANNY'S AUTO VALUE INC	BEARING HUB ASSY	03/10/20	56.22	44062
591-536-932.000	VEHICLES REPAIRS & MAINTENANCE	DANNY'S AUTO VALUE INC	OIL.	03/10/20	34.92	44062

Water and Light Payables
February 8, 2020 to March 6, 2020

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Due Date	Amount	Check #
591-536-932.000	VEHICLES REPAIRS & MAINTENANCE	NEALS AUTOMOTIVE PARTS INC	LIGHT	03/10/20	12.78	44075
591-536-932.000	VEHICLES REPAIRS & MAINTENANCE	FRANKS AUTO REPAIR	REAR UJOINT REAR SHAFT FRONT RIGHT W	03/10/20	109.65	44112
591-536-932.000	VEHICLES REPAIRS & MAINTENANCE	CHUCK RENZE FORD	MIRROR ASY	03/10/20	180.00	44106
591-536-973.000	CAPITAL OUTLAY	PERCEPTIVE CONTROLS	SCADA COMPUTER/SOFTWARE UPGRADE	03/21/20	9,550.00	44128
			Total For Dept 536 WATER SYSTEM		12,020.73	
			Total For Fund 591 Water Fund		12,020.73	
		Fund Totals:				
			Fund 582 Electric Fund		94,676.80	
			Fund 591 Water Fund		12,020.73	
			Total For All Funds:		106,697.53	

VILLAGE OF NEWBERRY



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

Newberry Water and Light Dan Kucinkas Water and Light Superintendent

- Finished taking down Christmas lights downtown.
- Read meters
- Did disconnects and reconnects
- Red tags
- Call out on blown fuses (squirrels)
- Call out on outages old porcelain switches cracking and breaking in half.
- Put primary wire up to camps on cr. 450
- Call out water service work
- Snow blowed paths in substation and recorded numbers.
- Snow removal around buildings, wells and pole pile.
- Did random residuals for water
- Turned in bacti samples (results came back good)
- Received chlorine shipment at wells
- Received material for electric

“Spring is when you feel like whistling, even with a shoe full of slush.”

2019 - ELECTRIC CONSUMPTION / BILLING

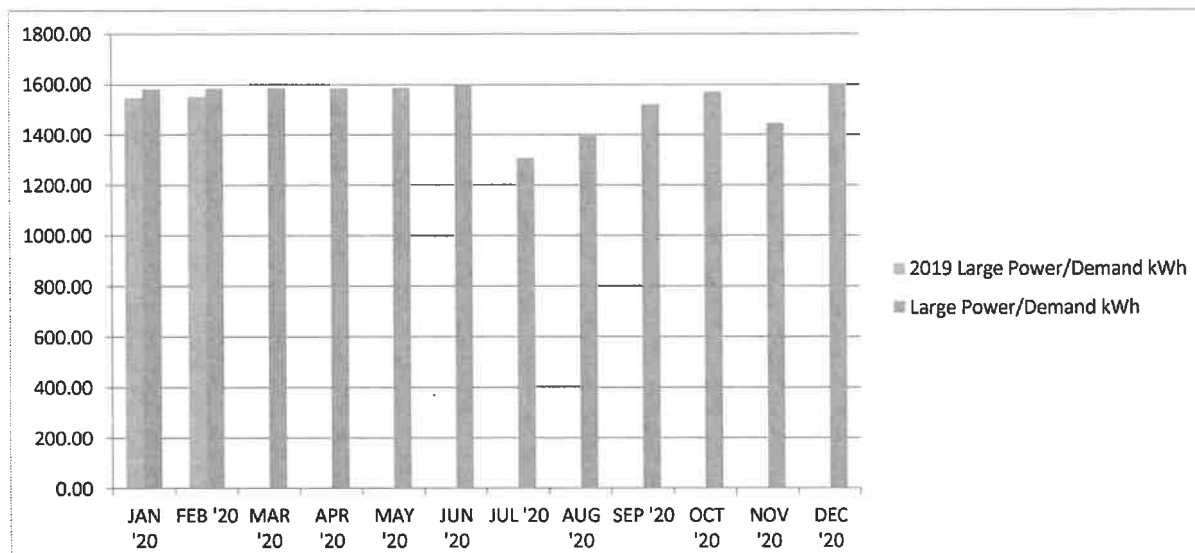
RESIDENTIAL										COMMERCIAL					LARGE POWER					DEMAND		
	ER	METERS	ER	EO	ER	EC	METERS	EC	EC	LG	METERS	LG	FUEL ADJ	DEMAND	METERS	DEMAND						
	KW		FUEL ADJ	BASE	AMT BILLED	KW		FUEL ADJ	AMT BILLED	KW		AMT BILLED		KW		AMT BILLED						
JAN 2020	832976.00	1182	\$ 15,040.05	\$ 1,183.66	\$ 86,658.08	286253.00	214	\$ 5,159.08	\$ 33,347.17	525714.00	14	\$ 682.44	\$ 9,714.22	1549.00	13	\$ 14,255.40						
FEB	671768.00	1182	\$ 9,439.81	\$ 933.03	\$ 69,743.65	263045.00	212	\$ 3,679.42	\$ 30,564.96	499610.00	14	\$ 648.17	\$ 7,155.99	1553.00	13	\$ 14,255.40						
MAR																						
APR																						
MAY																						
JUN																						
JUL																						
AUG																						
SEPT																						
OCT																						
NOV																						
DEC																						
TOTAL	1504744.00	2364.00	\$ 24,479.86	2136.69	\$ 156,401.73	549298.00	426.00	\$ 8,838.50	\$ 63,912.13	1025324.00	28.00	\$ 1,330.61	\$ 16,870.21	3102.00	26.00	\$ 28,510.80						
AVG	752372	1182	12239.93	1068.345	78200.865	274649	213	4419.25	31956.065	512662	14	665.305	8435.105	1551	13	14255.4						

TOTAL kWh 3082.47
AVERAGE MET 1422

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	1553.00	\$ 14,255.40
MAR '20		
APR '20		
MAY '20		
JUN '20		
JUL '20		
AUG '20		
SEP '20		
OCT '20		
NOV '20		
DEC '20		



Work Orders Report - 2020

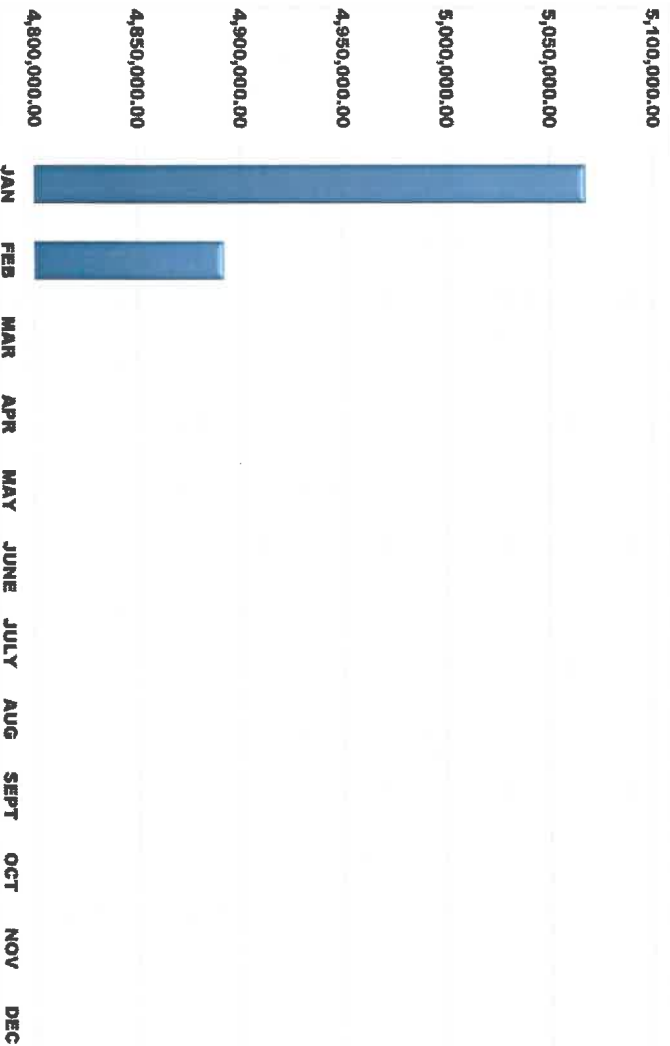
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	0	5	10	15	20	25	30
FIX MISC WATER LINE ITEMS							
FIRE HYDRANT REPAIR							
LIMBING							
AFTER HOUR CALL-OUTS							
MV/LIGHT REPAIRS							
PLANT/BLDG MAINTENANCE							
CUSTOMER INFORMATION							
WATER LEAKS							
WATER ONLY SHUT OFF							
WATER ONLY TURN ON							
WATER METER/REMOTE REPAIR							
NEW OCCUPANT READS							
READ VERIFICATIONS							
DISCONNECT WATER/ELEC							
WATER/ELEC TURN ONS							
ELECTRICAL							
REINSTATEMENT OF SERVICES							
DISCONNECT/NONPAYMTS							

Water & Light

Water Pumpage Report - 2020

MONTH	Recorded Gallons Pumped	Monthly Revenue Goal	Actual Revenue Received	BILLED REUS	Approx. GALS BILLED	% OF GOAL	LOST REVENUE
JAN'20	5,067,600.00	\$ 78,333.33	\$ 73,927.05	985.69	2,957,082.00	94.4%	\$ 4,406.28
FEB'20	4892700.0000	\$ 78,333.33	\$ 75,883.83	\$ 1,011.78	3,035,340.00	96.9%	\$ 2,449.50
MAR '20		\$ 78,333.33			-	0.0%	
APR '20		\$ 78,333.33			-	0.0%	
MAY '20		\$ 78,333.33			-	0.0%	
JUNE'20		\$ 78,333.33			-	0.0%	
JULY '20		\$ 78,333.33			-	0.0%	
AUG '20		\$ 78,333.33			-	0.0%	
SEPT '20		\$ 78,333.33			-	0.0%	
OCT '20		\$ 78,333.33			-	0.0%	
NOV '20		\$ 78,333.33			-	0.0%	
DEC '20		\$ 78,333.33			-	0.0%	
Total Gallons Pumped		Revenue Goal	Total Actual Revenue	Total Billed REUs	Total Billed GALS	% OF GOAL	Total Lost
9,960,300.00		\$ 939,999.96	\$ 149,810.88	1,997.47	5,992,422.00	16%	\$ 6,855.78



**Interim Village Manager & DHRCE
Update Report for Water & Light Meeting
As of March 6, 2020**

A. Audit

- a. Audit is supposed to be presented to council on March 17
 - i. Auditor will be onsite
 - ii. Have not received the draft version yet

B. Utility Billing

All delinquencies listed are as of 12/31/2019

- a. 28 property owner accounts are delinquent, for a total of \$34,538.90
 - i. Letters were mailed this week to request payment by April 10, 2020 and informing them that failure to pay will result in a tax lien (see example in packet)
 - ii. Remaining delinquencies will be submitted at the end of April to be added to tax bills
 - b. 16 accounts are delinquent for an amount less than \$25.00 for a total of \$136.67
 - i. Letters requesting payment are being mailed out
 - c. 50 tenant accounts are delinquent, for a total of \$22,768.77
 - i. Request recommendation from Board that these be submitted to Northern Credit Bureau for collection
- Past amounts submitted:
- 2018 – 61 accounts = \$28,365.76
 - 2016 & 2017 – 48 accounts = \$22,214.12

C. Water Rates Review & Water project Planning

- a. Calendar listing tentative dates will be provided at the 3.10.2020 meeting
- b. First step planned is to send out a mailing which requests the resident provide basic information regarding their service lines (See next section)

D. EGLE Lead/ Copper Compliance

- a. First step in completing service line inventory is a customer survey (included in packet)
- b. Notified by EGLE that if lines are found to be unknown, suspected to have lead, or do contain lead that we have 30 days to inform the resident of the possible exposure to lead and to provide a fact sheet on reducing exposure. (examples included in packet)
 - i. Request recommendation from Board on which way to proceed
 - Send out the “unknown” letter and lead info sheet to all residents now, prior to inventory – then give appropriate response sheets to each resident as inventory is completed on their line
 - Wait until inventories are completed and send the appropriate response sheets to each resident individually

E. Water & Light Staffing

- a. Reviewing budgeting for the year in anticipation of hiring a meter reader

Action Items requested from Board:

- Section B: Recommendation that bills be sent to Northern Credit Bureau
- Section D: Recommendation on which way to proceed with sending out lead info sheets

VILLAGE OF NEWBERRY



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

March 4, 2020

RE: Delinquent Utility Bills

Dear Property Owner:

The Village of Newberry has been conducting an audit of utility accounts. During account review it was discovered that there are delinquent fees for account _____, address _____ in the amount of \$ _____. A copy of your account history is included with this letter.

Please pay the full balance due **no later than 4:30pm on Friday, April 10th, 2020.** Failure to pay the full amount by the deadline will result in the amount being submitted to the proper tax assessing official or agency. They shall enter the lien on the next tax roll against the premises to which services shall have been rendered and the charges shall be collected and the lien shall be enforced in the same manner as provided for the collection of taxes assessed upon the roll and enforcement of the lien for taxes; Village of Newberry Ordinance A, Section A:4.

We are contacting you to resolve the delinquency in order to avoid having this added to your tax bill. Thank you for your cooperation. If you feel that you have received this notice in error or have any questions, please contact the Village of Newberry Utility Billing Department at 906-293-5681.

Sincerely,

Allison Watkins
Interim Village Manager

VILLAGE OF NEWBERRY



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

Date:

Subject: Water Service Line Inventory

Dear Resident,

In order to ensure distribution system components and service lines are properly identified and effectively inventoried, the Village of Newberry is conducting preliminary inventories of the water service lines in our distribution area. This is a step being taken in our commitment to comply with new Lead/Copper requirements put in place by the Michigan Department of Environment, Great Lakes & Energy (EGLE), and to reduce the risk of exposure to lead from drinking water. This survey is the first step in a full inventory of all service lines that will begin this summer and will be conducted throughout the Village over the next few years.

If you are a current water customer, we ask that you take a moment to complete and submit the short survey below. You may return this survey using the envelope provided or drop your survey off at the Village of Newberry Office at 302 E. McMillan Avenue between 8am and Noon and 1:00pm and 4:30pm, Monday through Friday. If you do not receive water service from the Village of Newberry, please disregard this letter.

We appreciate your assistance and cooperation during this process.

Sincerely,

Allison Watkins
Interim Village Manger

Name:	Service Address:
Phone:	Email:
Are you the property owner? YES NO	Are you a renter? YES NO
If you are a renter, please list the name and phone number of your landlord:	
Do you know what type of plumbing material is in your home? YES NO UNSURE	
Please circle all that apply: copper galvanized steel lead pex unknown	
Do you know what type of plumbing material your service line is? YES NO UNSURE	
Please circle all that apply: copper galvanized steel lead pex unknown	
Have you had your service line replaced to the curb stop? YES NO UNSURE	
(If yes) What date was the work completed?	Who did the work?
What type of material was used?	
Do you have records of the work completed? YES NO	
Would you be willing to provide a copy to the Village of Newberry? YES NO	

[The template below may be used by water supplies to notify owners and occupants of buildings served by service lines of unknown material. Water supplies may use this or another form of notification that states the service line material is unknown and recommends that homeowners have a plumbing assessment completed on their interior plumbing. Information on how to reduce exposure to lead in drinking water should also be provided. A template flyer explaining ways to reduce exposure to lead in drinking water is available at Michigan.gov/LCR.]

[Date]

[Address]

SUBJECT: Notification that your water service line material is unknown

Dear Water Customer:

Your drinking water service line material is unknown, but [insert water supply name] is working toward identifying service line materials throughout the water supply. Because your service line material is unknown, there is the potential that some or all of the line could be made of lead or galvanized pipe that was previously connected to lead. People living in homes with a lead or galvanized pipe previously connected to lead service line have an increased risk of exposure to lead from their drinking water.

Why are you receiving this letter?

Lead can cause serious health and developmental problems, especially in developing fetuses and young children. If your home service line contains lead you are at an increased risk of lead exposure. This letter serves to notify you of this risk and provide information to help you reduce the risk of lead exposure.

What can I do to reduce my risk?

Review the enclosed flier for steps you can take to reduce your exposure to lead in drinking water. In addition to your service line, other plumbing in your home may contain lead and could increase the levels of lead in your drinking water. These may include faucets, valves, and soldered joints. It is recommended that homeowners contact a licensed plumber and have a plumbing assessment done to determine if your in-home plumbing is a source of lead in your drinking water.

Please contact [insert name of water system contact] at [insert water system phone number] if you have questions regarding this letter.

Please visit Michigan.gov/MILeadSafe for more information about sources of lead and what you can do to reduce your exposure.

For additional information about your water system, or a copy of [insert water system name]'s Consumer Confidence Report, an annual report on what is in your drinking water, please contact [insert name of water system contact] at [insert water system phone number].

Sincerely,

[insert name of water system contact]

[insert water system name]

[insert water system phone number]

REDUCING POTENTIAL LEAD EXPOSURE FROM DRINKING WATER

Run your water before drinking. The more time water has been sitting in your home's pipes, the more lead it may contain. Therefore, if your water has not been used for several hours, run the water before using it for drinking or cooking. This flushes lead-containing water from the pipes.

- **For homes with a lead service line or galvanized service line previously connected to lead, run the water for at least five minutes to flush water from both the interior building plumbing and the service line.**
- **For homes WITHOUT a lead service line or galvanized service line previously connected to lead, run the water for 30 seconds to two minutes, or until it becomes cold or reaches a steady temperature.**

Do not boil water to remove lead. Boiling will not remove the lead.

Use cold water for drinking and cooking. Do not cook with or drink water from the hot water tap. Lead dissolves more easily into hot water.

Use cold water for preparing baby formula. Do not use water from the hot water tap to make baby formula. If you have a lead service line or galvanized service line previously connected to lead, consider using bottled water or a filter certified to reduce lead to prepare baby formula.

Clean your faucet aerator. As part of routine maintenance, the aerator on the end of your faucet should be removed at least every six months to rinse out any debris that may include particulate lead.

Consider using a water filter. Read packaging to find a filter that meets NSF/ANSI Standard 53 for the reduction of lead. Be sure to maintain and replace the filter device in accordance with the manufacturer's instructions to protect water quality.

Consider replacing older plumbing fixtures that likely contain lead. Older faucets, fittings, and valves sold before 2014 may contain higher levels of lead even if they are marked "lead-free." Faucets, fittings, and valves sold after January 2014 are required to meet a more restrictive "lead-free" definition but may still contain up to 0.25 percent lead. Consider contacting a licensed plumber to have a plumbing assessment done. This can help determine if your in-home plumbing is a source of lead in drinking water.

Flush your pipes after long periods of non-use. If you are moving into a new home or apartment or residence that has been unoccupied for some time, you should run all faucets an extended period of five minutes or more before using any water for drinking or cooking.

Learn about your drinking water. Read your community's Consumer Confidence Report that is mailed to you each year or find it at your local water utility's website. If you wish to get your drinking water tested, call your water supply or use a certified lab. Visit [Michigan.gov/MILeadSafe](https://www.michigan.gov/MILeadSafe) for more information about sources of lead and what you can do to reduce your exposure.

W&L Rules & Procedure - DRAFT 1 3.2.2020

Village of Newberry
Water and Light Board Rules of Procedure
Resolution - _____, 2020

WHEREAS the Village Council shall adopt Rules that govern the proceedings of the Water and Light Board pursuant to MCL 65:5(1); and

WHEREAS the Village Council wishes to fulfill this requirement and provide for Rules that govern the proceedings of the Water and Light Board in the most orderly, efficient, and open manner; now, therefore, be it

RESOLVED that the following Rules of Procedure for the Water and Light Board are in the best interest of the public health, safety, and welfare and are hereby adopted:

Rule 1. Regular Meetings. The Regular Water and Light Board meetings shall be held on the second Tuesday of each month in the Village Hall. Meetings shall begin at 5:30 pm.

Rule 2. Order of Business and Agenda for Regular Meetings. The order of business and agenda for Regular Meetings of the Water and Light Board shall be as follows:

- (a) Call to Order
- (b) Pledge of Allegiance
- (c) Roll Call
- (d) Approval of Agenda
- (e) Approval of Minutes
- (f) Water and Light Chairperson Announcements
- (g) Public Comment
 - 1. Reserved Comment (if any)
- (h) Submission of Bills and Financial Updates
- (i) Petitions and Communications
- (j) Introduction and Adoption of Resolutions and Ordinances
- (k) Reports of Village Management
- (l) Unfinished Business
- (m) New Business
- (n) Public Comment
- (o) Comments by Council Members
- (p) Adjournment

A written draft agenda and information packet shall be prepared by the Village Manager (VM) for every Regular Meeting, and shall be completed and copies made available to the members of the Water and Light Board no later than 4:00 PM on the Wednesday preceding the date of said Regular Meeting. A written agenda shall be released for delivery to the news media and public and posted to the Village of Newberry website and social media pages not later than 4:00 PM on the Friday preceding said Regular Meeting.

Rule 3. Order of Business and Agenda at Special Meetings. Special Meetings shall consider only such matters as are specified in the notice of the meeting, unless all members of the Water and Light Board are present and consent, or unless there is an emergency pursuant to these rules.

Rule 4. Presiding Officer. The Water and Light Board Chairperson shall preside at all meetings and in the absence of the Chairperson, the Village Clerk shall call the Water and Light Board to order and shall preside until a Presiding Officer is chosen. The Presiding Officer may express an opinion on any subject without substitution of another presiding officer.

Rule 5. Rules of Order. The conduct of Board business shall be generally governed by the current edition of Robert's Rules of Order unless otherwise modified by law, ordinance, or these rules of the Board. The Presiding Officer shall decide all questions arising under these rules and general parliamentary practice subject to appeal, which appeal shall be determined by a majority of the members present. In the event an appeal is taken by any member from the ruling of the Presiding Officer, the Board member desiring to appeal shall state that a claim of appeal is being taken and shall state briefly what in that Board member's opinion the ruling should have been. If this appeal is seconded, the Presiding Officer shall state clearly the question at issue, and then shall call for the vote of the Board on the question: "Shall the decision of the Presiding Officer be sustained?" The Presiding Officer shall preserve order and decorum and may speak to points of order in preference to other questions.

Rule 6. Motions. Every Motion shall require a second before being put to a vote, and it shall not be debated until it shall be reduced to writing if requested by the Presiding Officer or any Board member, but it may be withdrawn by the Board members moving and seconding the motion at any time before decision or amendment. No motion to reconsider shall be entertained unless made by a member voting with the majority.

Rule 7. Agenda Modification. The Presiding Officer may modify the order of the agenda at any Regular or Special Meeting of the Board to expedite the business of the Board. Such modification may be challenged by a Board member in the same manner as appeals from rulings of the Presiding Officer.

Rule 8. Consideration of Referred Matters at Regular Meetings. At a Regular Meeting as the first item after Roll Call, any Board member, may ask orally or in writing that a certain matter be added to the agenda for consideration by the Board at that meeting. By motion made that the matter in question be added to the agenda of that meeting, passed by the concurring vote of a majority of the Board members present, any such matter may be added to the agenda under the appropriate order of business and may be considered at that Regular Meeting.

Rule 9. Procedure for Calling Special Meetings. Special Meetings shall be called by the Village Manager on the written request of the Board Chairperson or any three (3) Board members. When the request to call a Special Meeting is initiated by a Board member, the initiating Board member shall submit a written request to the Village Manager requesting the Special Meeting; the request shall contain the item(s) to be considered. The Village Manager shall then forward the request to the Water and Light Board and request if there are two (2) additional Board members who would like to call the Special Meeting; and any Board member who would like to join in making the request shall respond directly to the Village Manager. If a special meeting is called, notification of such meeting will be given to the Board Chairperson and all Board members along with an agenda for the Special Meeting.

Rule 10. Consideration of referred matters at Special Meetings:

- (a) Notice. Except as provided in the following subsection, the Water and Light Board shall not consider at a Special Meeting any matter referred or submitted to it unless by a Board member which appears on the written notice of said Special Meeting as posted and released for delivery to all of the members of the Water and Light Board.

- (b) Emergency items. At a Special Meeting as the first item of business after taking the roll, any Board member may ask orally or in writing that a certain matter not appearing in the notice of that Special Meeting as posted and released for delivery to the members of the Board be considered at the Special Meeting. Any such matter may be considered at that Special Meeting if all Board members elected and serving are present and if a motion is adopted by vote of not less than three Council Members that the matter in question is an emergency and that it should be considered at the meeting.

Rule 11. Procedure for calling Emergency Meetings. As required by Michigan Law, emergency meetings of the Water and Light Board may be held only with the approval of two-thirds (2/3) of the members of the Board, which approval shall be coordinated by the Village Manager, and only if delay would be detrimental in the Village's effort to lessen the impact of a severe and imminent threat to the health, safety and welfare of the public. A meeting is defined as an emergency meeting only if it must be held before an eighteen-hour prior notice of the meeting can be given.

A written agenda shall be prepared by the Village Manager for every Emergency Meeting and shall be completed and made available to the news media, released for delivery to the members of the Water and Light Board, posted on the website and at the physical location of the meeting.

Rule 12. Reconsideration of Matters. The Water and Light Board shall not consider substantially the same matter upon which it has voted for a period of 90 days from date of said prior vote, unless two Board members, at least one of whom voted on the prevailing side in the prior vote, shall submit a written request to the Village Manager or Board Chairperson for such matter to be placed on the agenda of a specific regular or special meeting. An email request is considered a written request for purposes of this rule. This rule does not apply to motions which resulted in a tie vote, or which failed but received a majority of votes from those Board members voting. The Board Chairperson shall determine whether a matter is substantially the same as a prior matter and that determination is final and not reviewable by the Board.

Rule 13. Public Comment at Regular Meetings. The Water and Light Board welcomes public comment and has prescribed the following to facilitate the conduct of public business.

- (a) Public Comment during designated sections. A person may address the Water and Light Board during the designated "Public Comment" times on the agenda or upon request by the Board Chairperson or any Board member. All persons are encouraged to identify themselves by name and address and shall direct their comments to the Board. The comment of any member of the public or any special interest group shall be limited in time to three (3) minutes except as provided in subsection (d). Each speaker may only speak once during public comments and may not yield their time to other speakers. Questions asked during public comments may be assigned to Board members or Village staff for answers to be given at the next regularly scheduled council meeting.
- (b) Public Comment during the designated Public Comment Section – Reserved. Any interested person or any special interest group wishing to address the Water and Light Board for a reserved time, shall submit a written request to the Village Manager or Board Chairperson no later than 12:00 p.m. of the Friday immediately preceding the date of said Regular Meeting. The communication must (1) identify the writer's name and address and (2) identify with reasonable specificity the subject matter. The same shall appear on the written agenda under the designated "Public Comment" section for said Regular Meeting as made available to the news media and released for delivery to the members of the Water

and Light Board. All persons are encouraged to direct their comments to the Board. The comment of any member of the public or special interest group may be limited in time to seven (7) minutes except as provided in subsection (d). Each speaker may only speak once during public comments and may not yield their time to other speakers. Questions asked during public comments may be assigned to Board members or Village staff for answers to be given at the next regularly scheduled council meeting.

Such requests shall be limited to one (1) per meeting and shall appear on the written agenda. A Village resident request shall take precedence over a non-Village resident request. In such case, the non-Village resident request shall be postponed and placed on the written agenda of a future meeting. In no case shall the non-Village resident request be postponed more than one time.

- (c) Public Comment during the designated Public Comment Sections – Water and Light Board Chairperson and Board members. The Board Chairperson and Board members interested in making a public comment may do so under the designated Public Comment section. Further, the Board Chairperson and Board members may briefly respond for clarification purposed as a result of public comment.
- (d) Order and Duration of any Public Comment. The Presiding Officer shall control the order and duration of any public comment subject to appeal. The Presiding Officer shall have the authority to limit and terminate any public comment that becomes disruptive, unduly repetitive, or impedes the orderly progress of the meeting. Items not appearing on the agenda will not be acted upon by the Water and Light Board except in accordance with these rules. The Village Clerk will maintain the official time and notify the speakers when their time is up.

Rule 14. Public Comment at Special Meetings. A person may address the Water and Light Board during the designated Public Comment Section. The comment of any member of the public or any special interest group may be limited in time to three (3) minutes. The Presiding Officer shall control the order and duration of any public comment. The presiding officer shall have the authority to limit and terminate any public comment that becomes disruptive, unduly repetitive, or impedes the orderly progress of the meeting. All persons addressing the Water and Light Board are encouraged to identify themselves and their address. The Village Clerk will maintain the official time and notify the speakers when their time is up.

Rule 17. Suspension of Rules. Unless otherwise provided by these rules, the rules may be suspended upon the vote of three (3) Board members. However, the following rules may be suspended only upon the vote of four (4) Board Members:

- Rule 8. Consideration of referred matters at Regular Meetings.
- Rule 10. Consideration of referred matters at Special Meetings.
- Rule 17. Suspension of Rules.

Water and Light Board Rule 11 cannot be suspended as it is required by Michigan Law.

Rule 18. Amendment of Rules. These Rules may be amended upon concurring vote of not less than that required for their suspension.

W&L Rules & Procedure - DRAFT 1 3.2.2020

BE IT FURTHER RESOLVED that these Rules shall be effective immediately and shall supersede all rules to the contrary.

Ayes:

Nays:

Absent:

RESOLUTION DECLARED ADOPTED.

By: Lori A. Stokes, Village President

By: Terese Schummer, Clerk
Date: _____, 2020

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Newberry, County of Luce, State of Michigan, at a regular meeting held on _____, 2020, that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

Terese Schummer, Clerk

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

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.