

# Middlebury Township

PO Box 622, Ovid, Michigan 48866

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Draft  
Election Commission  
Regular Meeting  
7627 W. M-21, Ovid, MI  
Tuesday, October 11, 2022 at 7:00 pm

## Election Commission

### Call to Order

Clerk Swan called the meeting to order at 6:45 pm.

### Board Members Present:

Clerk Susan Tomasek Swan; Supervisor Jeff Swan; and Treasurer Carolyn Stevens

### Guest Present:

Gene Russo, Trustee; Shawn Dilts, Deputy Clerk; Gary Kiger; Jill Ruess, Deputy Treasurer

### Public Comment: None

### Motion to Approve the Agenda

Carolyn Stevens made a motion to approve the agenda and Jeff Swan seconded the motion.

### Business:

#### 1. Appoint Election Inspectors for the November 8, 2022 General Election

Susan Tomasek-Swan made the motion to approve the following people as election inspectors for the November 8, 2022 General Election: Shawn Dilts (Democrat), Connie Walter (Republican), Emily Dilts (Democrat), Andrea Moore (Democrat), Cindy Pastula (Republican), Mary Black (Republican), and Carolyn Stevens (Republican) as back-up. Carolyn Stevens supported the motion.

Carried on Voice Vote

#### 2. Set Public Accuracy Test Date

Susan Tomasek-Swan made a motion to set October 20, 2022 at 4:00 pm for public accuracy. Jeff Swan second the motion.

Carried on voice vote.

### Adjournment

Susan Tomasek-Swan made the motion to adjourn the Election Commission meeting at 6:48 pm. Carolyn Stevens supported the motion.

Carried on Voice vote

Adjourned at 6:49 pm

## **REGULAR MEETING**

### **Call to Order:**

Supervisor Swan called the meeting to order at 7:00 pm.

### **Board Members Present:**

Supervisor Jeffery Swan; Clerk Susan Tomasek Swan; Treasurer Carolyn Stevens; Trustee Greg Atwood and Trustee Gene Ruess

**Guests Present:** Guests were present: Shawn Dilts, Deputy Clerk; Jill Ruess, Deputy Treasurer; Gary Kiger; Ailie Weaver; auditor; Mike Herendeen, Deputy Supervisor; Sheriff Deputy Rob Burns; Gene Whitman

### **Scheduled Comments:**

**Auditor report:** Auditor presented the March 2022 audit report. There are some small changes since previous audit in 2020. Audits are required every 2 years. Independent auditor's report for the financial statements presented. Balance sheet was presented and includes total assets, liabilities, and equity. As of March 31, 2022 the township was identified as being in sound financial status due to assets being greater than liabilities. The recommendation for a fund balance is to be between 15-20%. As of March 31, 2022, Middlebury Township fund balance was 15.12%. Recommendation is for this to be increased over the next 2 years. General fund comparative schedule was discussed. Township had approximately a \$49,000 increase compared to what was expected. Recommendations for future audits was provided in report. The entire final report was submitted to all members of the Board.

**Sheriff Deputy:** Deputy Burns inquired if there were any requests from the board regarding patrol needs. Follow up on the thefts in the community that occurred of equipment.

### **Public Comments: Opened at 7:26 pm Closed at 7:33 pm**

Resident Gene Whitman identified that he has a non-profit agency and they would like to utilize the wooded lot at the corner of Snyder and M-21 to put their headquarters building and a park on. Supervisor Swan recommended Mr. Whitman contact Justin Horvath from SEDP for assistance with this project. Information was shared that zoning is managed at the county level and not the township level.

### **Motion to Approve Agenda:**

Trustee Atwood made a motion to approve agenda as amended. Treasurer Stevens seconded the motion.

Voice Vote: Ayes: All Nays None Carried

### **Motion to Approve Minutes:**

Clerk Tomasek-Swan made a motion to accept September 13, 2022 minutes as presented. Trustee Ruess seconded the motion.

Carried on Voice Vote

### **Motion to approve Bills**

Clerk Tomasek-Swan made a motion to approve bills from General Funds in the amount of 11,805.81 with checks #5803-5820 4 EFTs and approval to pay DayStarr bill upon arrival and insurance. Trustee Atwood seconded the motion.

Upon roll call vote the following voted Aye: Tomasek Swan, Atwood, Stevens, Ruess, Swan

Upon roll call vote the following voted Nay: None Absent: None

Motion Carried

### **Communications:**

**MTA-** Supervisor Swan discussed the road work that is being completed along M-21 and some complaints about some of the work still in progress. Health department has both flu and COVID vaccines. It is unsure if they have Shingles vaccine. Next MTA meeting is on 11/1/2022. Drain costs are increasing. Continued discussion regarding courthouse renovations next spring.

**Library-** Absent from September meeting, Emergency meeting to approve cement pad to address some drainage issues.

**OMESA-** Supervisor Swan identified that things are going well. The treasurer, Greg Palen, stepped down and Nancy Hughson was appointed. At the last meeting the runs have been on par with last year. Trustee Atwood identified that the last 5 days have experienced an increase in runs. The last 2 officers that went through training are nearing completion.

**Clerk-** Election November 8, 2022 from 7:00 am to 8:00 pm; Absentee ballot counts are increased as expected. The county has identified that there is one official challenger for our county. The state sent an email this afternoon that identified new legislation that has been enacted. The first is related to AV submission. This one does not affect our township due to size. The second is related to the drop box for AV ballots. This one will affect us. The marking and security of the drop box now has specific requirements. There is also a requirement that there is video monitoring of the ballot box. The board will be looking to determine if an AV ballot box is required. MTA new official training brochures received and discussed with board.

Clerk Tomasek-Swan made a motion to send 2 persons to the New Official training at \$150 per person on 12/16/2022 and to send Jill Ruess to the Treasurer training at \$125 per person on 11/22/2022. Trustee Ruess seconded the motion.

Upon roll call vote the following voted Aye: Tomasek Swan, Atwood, Stevens, Ruess, Swan

Upon roll call vote the following voted Nay: None Absent: None

Motion Carried

**Assessor-** Supervisor Swan reviewed report received and that the township received a perfect score.

### **Business:**

1. **Snow Removal Contract** Bid received from same company as last year. Clerk will discuss the concerns regarding the stones being plowed into the grass area. Trustee Ruess made a motion to approve the contract with an amendment to cover the winter 22/23 season and that Clerk Tomasek-Swan can sign when received. Trustee Atwood seconded the motion.

Upon roll call vote the following voted Aye: Tomasek Swan, Atwood, Stevens, Ruess, Swan

Upon roll call vote the following voted Nay: None Absent: None

Motion Carried

2. **Insurance approval and payment** Supervisor Swan reviewed the current insurance proposal and bill. The increase in price is approximately \$600 for the year. Trustee Ruess made a motion to accept the insurance as submitted and authorize Clerk Tomasek-Swan to sign and pay. Treasurer Stevens second the motion.

Upon roll call vote the following voted Aye: Tomasek Swan, Atwood, Stevens, Ruess, Swan

Upon roll call vote the following voted Nay: None Absent: None

Motion Carried

3. **SEDP Broadband Interest** : SEDP is requesting the township to determine interest in expanding broadband coverage throughout the county. If the township determines that there is interest that they send representation to the SEDP meetings. Supervisor Swan identified that he is interested in attending the SEDP meetings to represent Middlebury Township. Trustee Atwood made a motion to approve Supervisor Swan to attend the SEDP meetings, Trustee Ruess second the motion. Carried on voice vote.
4. **Variance and PA116 Application-**
  - Mulder: Variance requested for a 6-acre parcel that will be presented to the county board
  - Long: Variance requested for the selling of a parcel of his land that will be presented to the county board.
  - Bates: PA116 request and will be presented to the county board.
5. **Air Conditioner and Shed** Trustee Atwood has 3 proposals/bids to either upgrade the furnace or install a mini-split. The mini-split could be moved to a new building. All 3 bids were close in amount. All 3 companies recommend a mini-split instead of upgrading the furnace. Supervisor Swan makes a motion to approve Custom Heating & Plumbing to install a 3-ton mini-split at a bid of \$5,700. Treasurer Steven second the motion.

Upon roll call vote the following voted Aye: Tomasek Swan, Atwood, Stevens, Ruess, Swan

Upon roll call vote the following voted Nay: None Absent: None

Motion Carried

Trustee Atwood has priced garage packages for storage. He has 2 estimates for a 12 x 16 garage package with 1 roll up door and 1 walk in door. One bid is \$7,450 and one for \$7,287. Trustee Ruess made a motion to purchase from BC Barn with the \$7,287 bid and to include the ramp for a total not to exceed \$8,000 and Treasurer Steven second the motion.

Upon roll call vote the following voted Aye: Tomasek Swan, Atwood, Stevens, Ruess, Swan

Upon roll call vote the following voted Nay: None Absent: None

Motion Carried

6. **Safe:** Treasurer Stevens recommended that a safe be purchased for cash payments of taxes and other types of payments. Discussion ensued on township procedures and safety. Recommendation to explore with other townships what their procedures and safety are.
7. **Drop Box at the hall:** Discussion occurred regarding the use of the drop box for tax payments and no longer having the Treasurer accept payments at home from residents.
8. **Carolyn Stevens Resignation:** Supervisor Swan read the resignation letter submitted by Treasurer Stevens.
9. **Jill Ruess appointment:** Supervisor Swan made a motion to appoint Jill Ruess as the Treasurer effective November 1, 2022. Trustee Atwood second the motion.

Upon roll call vote the following voted Aye: Tomasek Swan, Atwood, Stevens, Ruess, Swan

Upon roll call vote the following voted Nay: None Absent: None

Motion Carried

10. **Crest Collision property:** Concerns about the condition of the property and motor oil running out the door. Supervisor Swan will communicate with owner, Matt Terpening, about resolving the issues.
11. **Hay field:** Trustee Ruess made a motion for Tom to continue to remove the hay as he has been at no charge. Supervisor Swan second the motion. Carried on voice vote.

Final Comments: Opened at 9:20 pm Closed at 9:20 pm

Motion to adjourn the meeting: Adjourned at 9:20 pm

Next meeting November 15, 2022 at 7:00pm

X



Shawn Dilts  
Deputy Clerk

