

**2023 CHARTER TOWNSHIP OF UNION**  
**Board of Trustees**  
**Regular Meeting Minutes**

A regular meeting of the Charter Township of Union Board of Trustees was held on January 11, 2023, at 7:00 p.m. at the Union Township Hall.

**Meeting was called to order at 7:00 p.m.**

**Bills moved Rice supported to appoint Trustee Bills as temporary Clerk. Vote: Ayes: 4 Nays: 0. Motion carried.**

**Roll Call**

Present:

Supervisor Mielke, Treasurer Rice, Trustee Bills, and Trustee Thering

Excused:

Trustee Brown and Clerk Cody (pre-excused late arrival)

**Approval of Agenda**

**Thering moved Rice supported to approve the agenda as presented. Vote: Ayes: 4 Nays: 0. Motion carried.**

**Presentation**

Frank Engler, Isabella County Commissioner, gave an update on the Isabella County Board's reorganization.

**Public Hearings**

**Public Comment**

Open: 7:06 p.m.

Ben Gunning, 2270 E. Broomfield Rd., expressed his sympathy for Dick Figg; commented on the Zalud v Charter Township of Union litigation case.

Closed: 7:09 p.m.

**Reports/Board Comments**

**A. Current List of Boards and Commissions – Appointments as needed**

**B. Board Member Reports**

Bills— gave an update on the Isabella County Board of Commissioners meeting held on December 20<sup>th</sup>.

Rice – reminded taxpayers that winter taxes are due February 14<sup>th</sup>.

**Consent Agenda**

- A. Communications
- B. Minutes – December 14, 2022 – Regular Meeting
- C. Accounts Payable
- D. Payroll
- E. Meeting Pay
- F. Fire Reports

G. Consumers Energy River Road High Service Pump Three Phase Three Phase Power Easement

**Bills moved Thering supported to approve the consent agenda as presented. Vote: Ayes: 4 Nays: 0. Motion carried.**

**New Business**

**A. Discussion/Consideration/Action: (Stuhldreher) Consideration of Tentative Agreements Between AFSCME Council 25 and Union Township**

**Closed Session**

**7:20 p.m.:**

**Thering moved Bills supported to move that the Board meet in closed session pursuant to MCL 15.268(1)(c) for strategy related to the negation of collective bargaining agreements with AFSCME Council 25, both Supervisory and Non-Supervisory Bargaining Units. Roll Call Vote: Ayes: Mielke, Rice, Bills, and Thering. Nays: 0. Motion carried.**

\*Clerk Cody arrived at 7:45 p.m.

**7:59 p.m.:**

**Bills moved Thering supported to come out of closed session. Roll Call Vote: Ayes: Mielke, Cody, Rice, Bills, and Thering. Nays: 0. Motion carried.**

**Rice moved Thering supported to accept and ratify the tentative agreements between the Township and AFSCME Council 25 Supervisory Unit as presented and further moved that the Township Supervisor and Township Clerk are authorized and directed to execute collective bargaining agreements consistent with such tentative agreements. \*Clerk Cody recused herself from voting on the Supervisory Bargaining Unit Agreement because of a conflict of interest. Roll Call Vote: Ayes: Mielke, Rice, Bills, and Thering. Nays: 0. Motion carried.**

**Rice moved Bills supported to accept and ratify the tentative agreements between the Township and AFSCME Council 25 Non-Supervisory Unit as presented and further moved that the Township Supervisor and Township Clerk are authorized and directed to execute collective bargaining agreements consistent with such tentative agreements. Roll Call Vote: Ayes: Mielke, Cody, Rice, Bills, and Thering. Nays: 0. Motion carried.**

**B. Discussion/Consideration/Action: (Stuhldreher) Closed session with Township counsel to discuss confidential correspondence from the Township's counsel, subject to discuss confidential correspondence from the Township's counsel, subject to the attorney client privilege**

**Closed Session**

**8:04 p.m.:**

**Thering moved Bills supported to move that the Board meet in closed session under Section 8(h) of the Open Meetings Act to consider written material from the Township's attorney that is exempt from disclosure by Section 13(1)(g) of the Freedom of Information Act. Roll Call Vote: Ayes: Mielke, Cody, Rice, Bills, and Thering. Nays: 0. Motion carried.**

**8:38 p.m.:**

**Bills moved Thering supported to come out of closed session. Roll Call Vote: Ayes: Mielke, Cody, Rice, Bills, and Thering. Nays: 0. Motion carried.**

**Thering moved Cody supported to pay legal fees capped at \$5,770 for Pat DePriest in regard to the Pung Matter. Roll Call Vote: Ayes: Cody, Rice, and Thering. Nays: Mielke and Bills. Motion carried.**

**C. Discussion/Consideration/Action: (Board of Trustees) Closed session with Township counsel regarding the cases of James and Jeremy Zalud v Charter Township of Union, now pending in Isabella County Circuit Court Case No. 20-016281-CK, and Concerned Citizens of Union Township v Charter Township of Union, now pending in Isabella County Circuit Court Case No. 20-016292-CZ**

**Closed Session**

**8:44 p.m.:**

**Thering moved Cody supported to move that the Board meet in closed session regarding the cases of James and Jeremy Zalud v Charter Township of Union, now pending in Isabella County Circuit Court Case No. 20-016281-CK, and Concerned Citizens of Union Township v Charter Township of Union, now pending in Isabella County Circuit Court Case No. 20-016292-CZ for the following reasons: (1) to consult with the Township's attorney regarding trial or settlement strategy in connection with specific pending litigation because an open meeting would have a detrimental financial effect on the litigating or settlement position of the Township and (2) under Section 8(h) of the Open Meetings Act to consider written material from the Township's attorney that is exempt from disclosure by Section 13(1)(g) of the Freedom of Information Act. Roll Call Vote: Ayes: Mielke, Cody, Rice, Bills, and Thering. Nays: 0. Motion carried.**

**9:06 p.m.:**

**Rice moved Bills supported to come out of closed session. Roll Call Vote: Ayes: Mielke, Cody, Rice, Bills, and Thering. Nays: 0. Motion carried.**

**Cody moved Rice supported to authorize the Township Manager to proceed with the finalization of the proposed settlement of the Zalud litigation in the form and manner discussed during closed session including (1) execution of the Consent Judgement discussed during closed session and (2) the making of any changes to the Consent Judgement which are non-substantive or typographical in nature, should the Township Manager and the Township Counsel agree that such changes are necessary and in the best interest of the Township. Roll Call Vote: Ayes: Mielke, Cody, Rice, Bills, and Thering. Nays: 0. Motion carried.**

**D. Discussion/Action: (Stuhldreher) Adoption of the Revised Extraction Ordinance 23-01**

**Bills moved Cody supported to adopt the revised Extraction Ordinance No. 23-01 as presented, which repeals and replaces the current Extraction Ordinance 20-01. Roll Call Vote: Ayes: Mielke, Cody, Rice, Bills, and Thering. Nays: 0. Motion carried.**

**E. Discussion/Action: (Board of Trustees) Clerk's Compensation Level Discussion**

**Discussion by the Board**

**EXTENDED PUBLIC COMMENT: RESTRICTED TO 5 MINUTES REGARDING ANY ISSUE**

Open: 9:38 p.m.

No comments were offered.

Closed: 9:39 p.m.

**MANAGER COMMENTS**

- Thanked Ms. Smith and Mr. Nanney for their leadership while the Township Manager was out of the country and for the support that was provided to them by the organization.
- Thanked the Board for the work done at the meeting and leading up to the meeting regarding, not only the budget, but the collective bargaining agreements and legal matters as a result of ordinances. The work done at the meeting will result in a positive action allowing the administration to move forward and achieving their Global Ends.

**FINAL BOARD MEMBER COMMENTS**

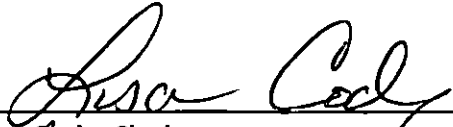
Bills – commented that she will be on vacation for the next two board meetings. Mentioned she would like to discuss the need for a grant writer.

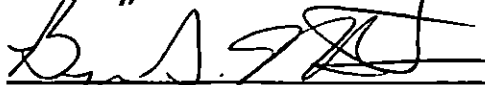
Mielke – Expressed his thanks to Mr. Figg for his service to the community and offered his condolences to the family.

**ADJOURNMENT**

Rice moved Thering supported to adjourn the meeting at 9:45 p.m. **Vote: Ayes: 5 Nays: 0. Motion carried.**

**APPROVED BY:**

  
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Lisa Cody, Clerk

  
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Bryan Mielke, Supervisor

*(Recorded by Tera Green)*