

DeWITT CHARTER TOWNSHIP
BOARD OF TRUSTEES
December 27, 2011
1401 W. Herbison Road, DeWitt, MI 48820

The meeting was called to order with the Pledge of Allegiance at 5:30 p.m. by Supervisor Galardi.

Present: Supervisor Rick Galardi, Clerk Diane Mosier, Treasurer Phyllis Daggy, Trustees: Max Calder, Steve Musselman, Brian Ross, and David Seeger

Also Present: Manager Rodney Taylor, Fire Chief Fred Koos, and Community Development Director Richard Trent

AGENDA

Musselman moved, Seeger seconded, to approve the Agenda, as presented. Motion voted and carried.

PUBLIC COMMENT

There was no public comment.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Year End Budget Adjustments

Motion by Ross, second by Calder, to approve as recommended, the 2011 Year End Budget Adjustments, totaling \$31,850. Motion voted and carried.

Community Development Director Contract

Manager Taylor stated that the Non-Renewal of Contract and Waiver of Claims for the Community Development Director, Richard Trent, is before the Board for consideration.

Trustee Seeger stated that he is concerned with the terms of the separation, since he believes that three months separation pay is excessive. He asked if the Community Development Director will be performing services for the Township during the three months referred to as "paid" within the proposed contract.

Manager Taylor noted that the provision for three months pay is within the Community Development Director's contract, and basically in all Department Head contracts in the Township. He also noted that no services will be provided by the employee during the three month period.

Supervisor Galardi stated that he and Manager Taylor have calendared review of the employment contracts in early 2012.

Supervisor Galardi called for public comment on the issue.

Community Development Director Richard Trent stated that it has been a privilege to work here at the Township and that he believes he has done all he can do to serve the constituents and residents of the Township. He stated that he believes that there must be concerns and issues which have not been articulated to him. He requested that he be provided, in writing, the rationale for this proposed action and an explanation of what he did or did not do. He stated that knowing this information would enhance him as a professional.

Fire Chief Koos stated that he knows Rich Trent and believes that he has provided exceptional customer service, works his eight hours each day, and that the Township should keep him to provide this service. He stated that he believes the Township is making a mistake with this action.

Trustee Seeger stated that he is not clear why the contract is not being renewed.

Manager Taylor stated that he did have conversations with the Community Development Director prior to giving him notice that his contract would not be renewed, however, at this point he would just state that he has just not been a good fit for the position.

Community Development Director Richard Trent stated that since he was told by Manager Taylor on May 10, 2011, that he has not been given any specific reasons why he is being let go.

Trustee Calder stated that he does not believe it is fair that the Community Development Director was not given reasons why his contract will not be renewed.

Clerk Mosier stated that those conversations between Manager Taylor and the Community Development Director happened prior to his being given notice last May, and that unfortunately we have heard claims this evening which appear to be in conflict. She stated that she believes the Manager has been forthcoming in this situation, he has kept the Board informed, and she therefore is going to support the Manager's recommendation to approve the non-renewal of the Community Development Director's contract.

Trustee Calder stated that he can support the non-renewal of the contract, as recommended, but he believes reasons should be provided, in writing, to the Community Development Director.

Clerk Mosier stated that the Township is an "At Will" employer, that Community Development Director Trent received more than sufficient notice that his contract would not be renewed, and she believes that giving reasons, in writing at this point, could expose the Township to some liability. She also commented that she did not want anything in this employee's personnel file that could prevent or hinder his possibilities for future employment.

Trustee Ross concurred with the Clerk's comments and stated that he would not support comments beyond the non-renewal agreement.

Community Development Director Richard Trent stated that he has no intention of coming after the Township.

Supervisor Galardi asked Manager Taylor about asking the attorney for a letter in response to Community Development Director Trent's request. He replied that he believes Attorney Kohl would respond appropriately that the Township is an "At Will" employer and that adequate notice per contract was provided.

Several Board members commented on the difficulty of making this decision.

Calder moved, Mosier seconded, to approve the Non-Renewal of Contract and Waiver of Claims, between Richard M. Trent and the Charter Township of DeWitt.

Trustee Seeger requested a roll call vote on the motion.

AYES: Musselman, Galardi, Mosier, Daggy, Ross

NAYS: Seeger, Calder Motion carried.

Motion by Calder, second by Seeger, that a letter be drafted by the attorney explaining why the previous action is being taken.

Trustee Calder requested a roll call vote on the motion.

AYES: Calder, Daggy, Galardi, Seeger

NAYS: Ross, Mosier, Musselman Motion carried.

APPROVAL OF VOUCHERS

Seeger moved, Daggy seconded, to approve General Operating Fund Vouchers 59377 – 59407, and Tax Fund Vouchers 7487 – 7489. Motion voted and carried.

REPORTS AND COMMENTS

None.

EXTENDED COMMENTS

Fire Chief Koos reported that he is researching the records to substantiate that the Fire Department will be 50 years old this year. The Department is planning a celebration.

ADJOURNMENT

Seeger moved, Musselman seconded, to adjourn at 6:00 p.m. Motion voted and carried.

Respectfully submitted,

Diane K. Mosier, Clerk

Rick Galardi, Supervisor