

MACKINAW TOWNSHIP REGULAR BOARD MEETING

10595 WALLICK RD, MACKINAW CITY, MI

July 16, 2024

Supervisor Symdra called the meeting to order at 7 PM.

Board members present: Smydra, Brew, Darrow, Falor, Closs.

Also present: Jeff Ostman, Timothy MacArthur, Judge Gauthier

Motion by Brew, supported by Closs to approve the agenda with the acceptance of going into closed session after public comments. Motion carried.

Motion by Brew, supported by Closs to approve the June 18, 2024 regular board meeting minutes as presented. Motion carried.

Public Comments

Judge Gauthier gave the board an update on the circuit court operations. We had a record setting number of felony cases filed in County for 2021. That number being 211 or 212. And normally, we run between a 170 and 200. For the last 2 years, we've been at about 250 cases. So, it's been a pretty significant percentage increase in our felony case laws. Why what is that? It's predominantly an increase in methamphetamine cases. But then it's also because we have an active, law enforcement community in Cheboygan County and an active prosecutor's office. Sometimes when the numbers dip, you wonder if crimes are going uncommitted or just undetected or unprosecuted. So, they are very active and our prosecutor's office charges, resisting police fairly aggressively. They charge ex convicting bond fairly aggressively. So, when people don't show up for court, we do a contempt warrant for failing to appear. If it's a felony case and they were up on bond, the prosecutor has the discretion to charge them with a brand-new felony for absconding or forfeiting a bond. Our felony caseloads were high but we have not seen an increase in violent crime. We have a new referee, Kyle Legally and he provides referee services to several Northern Michigan counties. We also have a new court director Kyle Ortiz. Over the next year, we're going to be really looking at, the procedures that we have for our family division and compare that to other counties and talking to our practitioners and trying to identify ways we can improve our pretrial procedures in the family division. Our recovery court is going well and we're at about capacity. We've got 25 participants right now. We're allowed to take 30, but whenever we're hit whenever we're at 25, we're kind of at capacity. This recovery program is for non-violent felony offenders with drug or alcohol problems that would otherwise be going to prison. Instead, we keep in the community and we get involved in their life on a daily basis for about 2 years with the whole team approach and looking at all the needs they have as a person whether they be physical health, mental health, dental, employment, housing, therapy, drug addiction, all of this stuff. And, we are graduating about half of our participants. That's an increase historically we were only succeeding with about 4 out of 10 of them. Now we're succeeding with about 5 out of 10. When they do graduate, unless they're retired or disabled, we're at a 100% of our graduates are full time employed at graduation. The state tracks how often they commit crimes after they graduate versus similarly situated people who haven't graduated such a program. It reduces recidivism by about 75% which is cheaper than sending them to prison and we are getting better results. Gauthier has also continued his efforts at public transparency by putting our criminal and our civil docket on YouTube for public consumption.

Motion by Smydra, supported by Brew to go into closed session at 7:15 PM to discuss pending litigation on this Tax Tribunal matter in compliance with MCL 15.268 Subsection C with the participation of the Cheboygan County Commissioner Jeff Ostman and the Mackinaw Township's attorney Timothy MacArthur. Roll call: Ayes: Closs, Smydra, Brew, Falor, Darrow. Nays: None. Motion carried.

Motion by Smydra, supported by Brew to exit closed session at 7:53 PM. Roll call: Ayes: Smydra, Brew, Closs, Falor, Darrow. Nays: None. Motion carried.

Reports

1. Smydra and the board of review met today by state law. Smydra and Wawatum Township Supervisor Roger Moore conducted the 2024 annual spring cleanup. It was a success with lots of participation from the community. Darrow and Smydra met at the Cheboygan Tile Agency to sign for the sale of parcel #011-034-400-031-00 and parcel #011-034-400-069-00 that were sold to the DNR for a total of \$1,000. Smydra contacted the Cheboygan Road Commission to get an update as to when they will be starting the Old Mackinaw Road project and that should happen any day now. Also, the Road Commission will use their best discussion as to which roads in Mackinaw Township need sealing.

Unfinished Business

1. The Tax Tribunal matter was discussed in great depth during closed session.

New Business

1. Motion by Closs, supported by Brew to approve the budget amendment:

Minus \$1000 101-900-980.00 Capital Control: Contingencies

Plus \$1000 101-265-745 Utilities- Electric

Roll call: Ayes: Closs, Darrow, Falor, Brew, Smydra. Nays: None. Motion carried.

Treasurers Report/Bills/Financial Reports

1. The Treasurer's report was accepted as presented. Tax season has officially started and payments are starting to come in.
2. Motion by Brew, supported by Closs to approve the July expenditures.
Roll call: Ayes: Darrow, Closs, Falor, Smydra, Brew. Nays: None. Motion carried.
3. The Standard Budget Report was accepted as presented.

Non- Agenda Items

1. Closs has taken on the job of weeding the flower beds at the township.
2. Smydra will call Werner Plumbing & Heating about the air conditioner not working.
3. Falor will call to get the outside of the building cleaning in time for the upcoming elections.

Meeting was adjourned by call of the chair at 8:10 PM.

Respectfully submitted,

Ashley Darrow, Clerk

Closed Session Minutes

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The Tax Tribunal matter was discussed in great depth. MacArthur filed the townships answer to dispute this tax tribunal matter and we have not gotten a response back at this time. The subject of who is going to pay all these legal fees if we proceed with fighting this case was discussed in great detail. The township would like a written document stating who is going to pay for what before we proceed or sign any documentation regarding this tax tribunal case. The township is going to try extremely hard to persuade Cheboygan County to get involved in this case because it has effect on them as well. Normally the county doesn't get involved in these cases. Board members and the Cheboygan County Commissioner Ostman will work together in presenting this idea to the other 6 Cheboygan County Commissioners.

Motion by Smydra, supported by Brew to exit closed session at 7:53 PM. Roll call: Ayes: Smydra, Brew, Closs, Falor, Darrow. Nays: None. Motion carried.