



DELTA CONSERVATION DISTRICT

6822 US HIGHWAY 2, 41, and M35 - GLADSTONE, MI 49837

(906) 553-7700

BOARD MEETING MINUTES

OCTOBER 13, 2023

A **Special Meeting** was called to order at 1:30 P.M. on October 13, 2023, at the Delta County Service Center by Delta Conservation District Chair Joe Kaplan

1. **Pledge of Allegiance**
2. **Directors Roll Call:** PRESENT: Kaplan, Brockman, Segorski, VandeWater. ABSENT: Ross
3. **Staff Present:** Mattson
4. **Public Comment on Agenda Items:** None
5. **Approval of Agenda;** *Motion by Brockman to approve; second by Vande Water; Motion Carried.*
6. **Conflict of Interest Disclosures;** None
7. **Approval of Minutes:** Minutes from September 27, 2023, Mattson needs to review and fill-in missing formation. *Brockman motioned, seconded by Segorski to table. Motion carried.*
8. **Standing Committee Reports:**
 - a) **Personnel Committee:** VandeWater informed the Board the District Manager position has been posted to Michigan Association of Conservation District, DCD website, NMU, University of Wisconsin, University of Michigan, Texas A&M, and (possibly) FB. Mattson added the position has been advertised locally with an ad in the Daily Press and Michigan Works.
 - b) **Property & Equipment (:5):** Bid opening next week (10/16/23) at NRCS building in Gladstone to sell a District car and pickup truck. MSU is interested in buying the District's wood-processor. As MSU is a governmental entity the District will forgo the bidding process. Brockman has tabled selling the silt curtains. *Brockman motioned to sell the firewood processor to MSU for \$20,000.00; Segorski seconded; Motion carried.*
 - c) **Records (:15)** Kaplan inquired about Diane Mattson's role at the District because "ownership" of District's online resources (i.e. Microsoft 365, QuickBooks, and GoDaddy) until recently, were apparently in her name and tied to a personal account. In addition, recent changes to District computers appear to have resulted in the deletion of 1000s of public records, including some District domain email accounts. Kaplan read service notes from the District's IT support regarding changes to District computers that deletion of files was not done by the provider. Chris Williams provided additional details on what changes took place to the District's computers. Mattson maintains the accounts were

not deleted on purpose. *Segorski motioned retain computer subject to file deletions be sent in for forensic investigation/data recovery by either a private firm or by law enforcement; Brockman seconded; Roll Call – Kaplan-Yes; Segorski-Yes; Vande Water-Yes & Brockman-Yes. Motioned carried (also see Attorney General Assistance motion below).*

The District now has ownership and access to the website (hosted by GoDaddy) but is still in the process of transferring ownership to the District of Quickbooks due to the deletion of QuickBook associated District email domain accounts. The pin code for the District phone that Rory uses still needs to be transferred to allow for District access. Rory inquired how his new (repaired) District phone should be paid for (either by him or the District). Brockman recommended that the District reimburse Rory for the new phone as it is District property.

Terry Burkhardt's firm that represents the District resigned on September 1, 2023. Burkhardt will fulfil the District's request for all records in his possession.

The District has established a YouTube channel for streaming and archiving District Board meetings on the District's website. Glenn VandeWater recommends establishing a District FB account. William offered to help with setting up the account that will be tied to the Secretary position (VandeWater). Brockman relayed he established a Craigslist account in his name to list District property for sale.

- d) Finance Committee (:49):** Segorski recommended meeting twice a month to sign payroll checks and once a month to pay bills. Mattson indicated "time sensitive bills" may need to be paid more often, adding that after the Parks go back to the County this will no longer be an issue. Rory will work on transferring over Park accounts to the County.

Kaplan motioned that all bills to be paid at a board meeting be submitted for review to all board members four (4) days before the meeting the invoices will be paid. Second by Segorski. Motion carried. During the discussion Mattson indicated in the past he would meet with the Treasurer before the board meeting to sign and pay bills. Segorski inquired about changing payment dates for "time sensitive bills". Brockman added his preference for paying bills once a month. Segorski concurred. Additional discussion indicated that payroll would continue to be paid biweekly.

Segorski provided details of a meeting was held with an accounting firm about transferring responsibility for District accounting to an accounting firm. *Segorski motioned to authorize hiring "Schneider, Larch, Haapala" to do the District's accounting; Vande Water seconded; roll call – Kaplan, Segorski, Vande Water & Brockman voted – yes. Motioned carried.*

- e) **Parks and Forests; Cornell Forest Property (1:22):** Board discussion prioritizing staff responsibilities at the Parks. Board members concurred that Mattson's remaining time with the District will be focused on succession for his retirement and administrative responsibilities, especially finance. Steve Wery will supervise the parks and be responsible for day-to-day responsibilities at the parks.

MDARD Report: none

NRCS Report: none

Staff Reports: none

District Liaison (1:39): Commissioner Barron relayed information about recent County Board meetings. Commission Viau (in attendance) was afforded an opportunity to address the DCD board and recommended we keep an eye on expenses as retrieving lost data can be very expensive.

Unfinished Business (1:41):

- A) **Liability Insurance Policy:** Brockman motioned to approve the quote from Fisher Insurance \$1,543.00 for Director and Liability Insurance; Vande Water seconded; motion carried.
- B) **Accounting firm hiring (see Finance committee report).**
- C) **Vehicle bids (for sale) (see Property and Equipment committee report).**

New business (1:43):

- (A) **Paying Bills:** Board reviewed and discussed invoices. Brockman motioned to pay the bills; Kaplan seconded; motion carried.
- (B) **Mattson Employee Contract (1:50-2:06):** Questions arose regarding Rory's contract from January 11, 2023 – September 30, 2023 (retroactive to September 2022). Two previous FOIA requests for that contract failed to disclose a raise of \$20,000 (\$100,000 to \$120,000) that was written into that contract because of a missing page. Subsequent contract revisions in May and June (the current contract) do not list Mattson's current salary. Kaplan expressed the opinion that a \$50,000 bonus (for Mattson's time to transition the Parks back to the county) found in those later contracts is a reimbursable park expense that can be charged to the County. According to Mattson his current salary is \$100,000 and that District expenses related to Parks will have to be compiled and reviewed along with his current contract/salary.
- (C) **Cornell Forest Property (2:06-2:51):** Brockman expressed his support for the Cornell Forest Property but shared concerns regarding access to the property including dedicated access for people with disabilities (as called for in the original Natural Resources Trust Fund grant to purchase 1400 acres at Cornell), gates on the eastern side of the property blocking legal access easements, and the "road-blocks" that were constructed last year under the guise of ponds for wildlife. Mattson added the original

sites planned for disabled hunters was the 80 acres adjacent to private property (owned by Mattson and others) and/or the area beyond the gate (owned by the DCD) currently on Stanek's property. *Brockman motioned to take corrective measures to 1) create new access road running east to west (to provide access lost by the County relinquishing an ingress/egress easement); 2) fill in the ponds and re-establish the access trail; 3) create new parking areas and trails for individuals with disabilities on the 80 acres in the SE portion of the Cornell Forest; Segorski seconded; roll call – Kaplan-yes, Segorski-yes, Brockman voted yes – Vande Water abstain. Motion carried.*

(D) Staff Accountability: Short discussion about the need for improved communication between the Board and Director Mattson regarding email response, credit card use, work duties.

(E) Park Supervisor. No additional action or discussion (See Committee Report).

(F) Public Record Destruction: No additional action or discussion (see Committee Report)

(G) Attorney General Assistance (2:57): The Board previously requested legal services from the Michigan Attorney General but limited that request to address the potential conflict of interest of the Rory Mattson easement modification on the Cornell Forest. According to Kaplan that issue is currently under review by the Attorney General and the Department of Natural Resources. *Segorski motioned to request additional legal services from the Attorney General to address District related- issues regarding public records, contracts, and financial concerns; Roll call – Kaplan - yes, Segorski-yes, Vande Water- yes & Brockman – yes. Motioned carried.*

(H) Motion to change meeting date: After discussion regarding board meeting schedules Segorski motioned to cancel the Oct. 25 board meeting and move the November 8, 2023 meeting to November 13, 2023 (to the board room, if possible). Vande Water seconded; motion carried.

Public Comment (3:02):

Ann McNamara (Escanaba); Supports Cornell proposal for accessibility and recommended prioritize filling in the ponds as they represent an “attractive nuisance”, are dangerous and a represent a liability. She fell while navigating the ponds and raised concerns to the previous District board and the County without her concerns being addressed.

Chris Williams (Ford River Township); Recommended the gate owned by the DCD on Gary Stanek's property be moved to block access to a road on Rory Mattson's private property onto the County forest to access a food plot (on County property). District staff and adjacent property owners should not have vehicular access to and exclusive use of the County Property.

Tina Vanderlinden : Recommend the Board again reads the Open Meetings Act, The Director's Guidebook, the District's Uniformed Accounting Procedures, Michigan Department of Treasury Chart of Accounting for Districts; and the Operations Manual and all 9 Appendices. She believes

the Board is violating District policy, OMA, and making decisions without Board insurance. Alleges bias and lack of transparency of Meeting Minutes by Chair Kaplan and recommends hiring a third party (i.e. County Clerks office) to take minutes. Alleges violation of employee privacy through third party disclosure, nepotism, and conflict of interest. Questioned the Board's "new direction" and if all Board members are aware of this direction. Alleges that most of the Board "is here only to go after Rory" targeting Rory Mattson and does not have the District's best interests in mind. Informed the Board that she has filed charges against the Board for wrongful termination, employment loss, and violation of the Open Meetings Act.

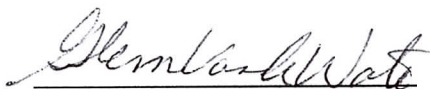
Ashleigh Young (Delta County Administrator) (3:07): Reminded the District about the details of the contract with the County. Read from the current contract (Appendix A) that each year the District is entitled to 10% of earned revenue for administrative operational costs. Therefore, Rory's \$50,000 bonus would be considered administrative services that would be covered under the 10%. The new contract signed in May [for the October-December quarter] stipulated that the District would only charge for employee wages for operations of the parks up to \$21,000 and non-payroll related expenses, incurred expenses, management and any authorized projects that need to be completed [wages and incurred expenses not to exceed \$21K].

Board Member Comments: Segorski addressed Tina Vanderlinden comments by emphasizing the importance of transparency as the guiding principle of the Board's "new direction". This will be apparent with time. No other Board member comments.

Adjourn: *Motioned by Segorski, second by Brockman to adjourn the meeting at approximately 4:50pm.*

These draft minutes were compiled by Chair Kaplan with notes submitted by Mattson. Complete meeting recording available on the District's YouTube channel at [Delta Conservation District Board Meeting 10-13-2023 - YouTube](https://www.youtube.com/channel/UCXhrPtFK6KPo) (<https://youtu.be/XhrPtFK6KPo>) or through the District's website at [Board Meetings \(deltacd.org\)](https://www.deltacd.org/board-meetings.html) (<https://www.deltacd.org/board-meetings.html>)

Meeting Minutes approved on December 13, 2023



Glenn VandeWater, Secretary