



# DELTA CONSERVATION DISTRICT

GLADSTONE SERVICE CENTER.

2003 MINNEAPOLIS AVE. GLADSTONE, MI 49837

## BOARD MEETING MINUTES

December 13, 2023

A meeting of the Delta Conservation District was called to order at 3:05 P.M. on December 13, 2023, at the Delta County Service Center by Delta Conservation District Chair Joe Kaplan

### AGENDA

1. **Pledge of Allegiance**
2. **Directors Roll Call:** PRESENT: Kaplan, Brockman, Segorski, VandeWater. ABSENT: Ross
3. **Staff Present:** Rory Mattson, Steve Wery
4. **Approval of Agenda;** Brockman motioned, Vande Water second to approve agenda. Motion carried.
5. **Conflict of Interest Disclosures:** None
6. **Public Comment on Agenda Items:** None
7. **Approval of Minutes:** Segorski motioned, Brockman second to approve October 13, 2023 Meeting Minutes. Motioned carried. Segorski moved, Brockman second, to approve November 13, 2023. Motioned carried.
8. **Treasurer Report: Segorski and Mattson reviewed Treasurer's report. *Segorski moved, VandeWater second to approve the December 2023 Treasurer Report. Motion carried.***
9. **Standing Committee Reports:**
  - a) **Personnel Committee:** VanderWater, Kaplan, and Mattson met to review Personnel Policy, reviewing extensive staff comments. Interview for a District Manager will occur on December 14, 2023.
  - b) **Property & Equipment:** Brockman discussed the need to have a file at the District office to keep all titles and deeds for District property. The invoice was submitted to MSU for firewood processor, a check should be forthcoming.
  - c) **Records:** Christine Williams provided a final report on her findings regarding inventorying District-owned technology and online accounts/resources. QuickBooks is now separated into identifiable user accounts. Rory Mattson was able to provide additional USB keys he found in files that are now part of the inventory along with a credit card processor (that will remain with the County), and a laptop computer. Williams explained technology purchased between 2013-2023, including 18 computers (page 9-10) technology inventory (page 11) in service currently along with technology inventory not being used. Nine computers are still unaccounted for some are probably in possession of the County (some of the computers were split with the County). There

are two laptops currently with the USDA being prepared for District staff. Additional follow-up is planned to be done to account for technology not currently inventoried. Williams provided details on the laptop found at Pioneer Trail Park, purchased in June 2023 (one of three computers purchased). Mattson explained that laptop was a replacement for a laptop that has been overheating and additional details related to upgrades the County is making for the Parks including purchase of new computers for Park use after the County takes over management of the Parks at the end of the year. Williams indicated a domain account that was renewed for two-years though GoDaddy in Jack Herrick's name no longer exists along with other recent deletions related to District staff and associates (i.e. Diane Mattson and Tina Vanderlinden). Williams' added (pg. 3) that GoDaddy invoices are apparently updated when old accounts are deleted and new accounts retain the original dates when they are created. Williams recommended better tracking and inventory of public records to comply with retention schedules. VandeWater extended his appreciation to Williams for her work on this project.

Kaplan indicated he found many historic documents associated with the County Parks in the basement of Pioneer Trail Park and will relinquish them back to the County.

- d) Finance:** Segorski met with Nicolet Bank to discuss FDIC limits and the CDARS program that assures FDIC protection for holdings that exceed FDIC limits.

Kaplan indicated that the CDs in the District's name that matured in November 2023 at First Bank had been renewed for a year. First Bank indicated that the District qualifies for a security pledge from the bank from securities that they hold (\$131 million pledge value with currently \$30 million pledged). Mattson offered additional details on the security pledge. VandeWater moved that Chair Kaplan sign the CD renewals at First Bank and move forward on the bank [Nicolet], Brockman second. Motion passed.

- e) Parks and Forests:** see New Business.

- 10. MDARD Report:** Rachael Guth provide her Partner's Report and invited questions. Kaplan inquired about what forms are still needed to release our MDARD grants. Mattson was directed to sign the Attachment A to complete the grant project. Segorski indicated he signed the amendment today. VandeWater asked for clarification of the W-3 form. Guth explained that this is part of the District's tax liability. Mattson indicated he was going to submit an invoice for \$8k in administration to MDARD for the five grants we are responsible.

- 11. NRCS Report:** None

- 12. Staff Reports:** Reports were received from CTAI (Makhayla Mainville) and FAP (Lyndsey Johnston). Park Manager Steve Wery expressed his appreciation for the opportunity to *serve and improve the Parks on behalf of the District and the County for the past 13 years,*



The Board responded with its appreciation for Steve's hard work and dedication to the Parks, especially during the transition from District back to County. Fortunately, for all Delta County residents Steve will continue in his capacity with the County.

- 13. Commissioner's Liaison Report:** Commissioner Barron discussed complaints that the State has received regarding the management of the Cornell Forest and that the County will address these concerns in full. He also reported on two motions the Board passed indicating that the County did not want any modifications or changes done to the County parks/forests by the District during the remained of the contract and that all District-owned equipment must be removed from County-owned property by the end of the year.

Kaplan expressed District's concerns over the liability created by the ponds constructed by the District while under contract to manage County forest property and paid for by the County. Kaplan said he wants the County to recognize the safety hazards the ponds present to the public as witnessed by concrete barriers and a sign that reads "Danger, Wildlife Ponds, Deep Water, Stay Away". Kaplan requested that the County indemnify the District and take full responsibility for the ponds.

#### **14. Unfinished Business**

- a) **Attorney General Assistance** - Kaplan relayed that the AG's office has responded to the District's request for legal services and the AG's is willing to review Rory Mattson's employment contract. Regarding our request for assistance regarding issues regarding the management of the Cornell Forest the AG's office is working with the DNR on that issue.
- b) **Accounting Firm** – meeting with Schneider, Larche, Happala & Co. next week to work our details of having this firm provide our accounting needs.
- c) **YouTube premium purchase** – need District credit card to complete purchase so District can livestream meetings. Until then District will record meetings and provide archives through the District's website ([www.deltacd.org](http://www.deltacd.org)).
- d) **Option to hire meeting minutes** – VandeWater requested tabling this item.
- e) **Changing meeting time** – Segorski is a board member at KF Sawyer the 2<sup>nd</sup> Wednesday of the month. Brockman added that he made a motion to move the meeting to 5:30pm to provide the public the opportunity to attend meetings after work. Mattson indicated that it wasn't a motion. VandeWater wanted to make sure that staff would have the ability to attend. *Brockman motioned to change the meeting start to 5:30pm if room is*

*available, Segorski seconded. Motion carried.* Kaplan will check on availability of the room.

- f) **Credit card machine for District office** – Mattson recommended cancelling the cc machine at the District office (Lyle Barril) in Pioneer Park and reconsider having cc capabilities at the new office for the tree sale by mid-February.
- g) **Color copier** – Kaplan recommend tabling purchase. Mattson reiterated that the copier at the NRCS office is not available for producing the tree and the benefits of having a color copier available at the new District office.
- h) **County Financial Obligations** – Mattson provided details of the Parks contract for FY 2023 and the first quarter of FY 2024 (October 1- December 13) including the 10% of earned park revenue to the District for managing the parks. He also discussed Steve Wery's final payout as Park's manager. A meeting will be necessary with the County to make final determinations for closing out the park's contract. Additional discussion answered question on CampSpot (parks camping reservation system) and computer purchased for future use in the parks.
- i) **Reimbursement for the OB Fuller Park bathhouse** – completed.
- j) **Sign MOU with Schoolcraft Co. Conservation District – FAP** – completed.
- k) **Upcoming reporting on Taxes and MDARD** – Mattson indicated he would incorporate this into his succession plan and work with Finance and Personnel Committees. Discussion extended to Mattson's vacation request for the last two weeks of the calendar year and the need for the Personnel Committee to work with Mattson to work out vacation days and workdays for the remainder of his time as manager. Guth recommended following the Federal schedule for holidays.
- l) **Succession checklist for District Manager** - Discussion extended (from item k) to Mattson's vacation request for the last two weeks of the calendar year and the need for the Personnel Committee to work with Mattson to work out vacation days and workdays for the remainder of his time as manager. Guth recommended following the Federal schedule for holidays.

## **15. New Business**

- a) **Paying of bills** – Segorski motioned, VandeWater seconded to pay the bills. Motion carried.



- b) **FOIA** – A new FOIA coordinator is needed with Mattson's retirement. Holly Moss designated the assistant FOIA coordinator. Mattson recommended Kaplan to be coordinator. Guth recommended that once a District manager is hired FOIA responsibilities be transferred back to the District Manager with Kaplan serving as the Assistant FOIA coordinator. *VandeWater motioned, Brockman seconded that Kaplan be designated FOIA coordinator starting immediately. Roll Call – Kaplan, Segorski, VandeWater, Brockman all yes. Motion carried.* Kaplan indicated that he fulfilled two FOIA requests while Mattson was on vacation.
- c) **Policy on public attending committee meetings.** Kaplan provided background that Tina Vanderlinden attended a Personnel Committee meeting with VanderWater and Mattson. Both Vanderlinden and Mattson believe that Board Policy is to allow the public to attend all Committee meetings. This is not reflected in any meeting minutes approved since the Committee's were established several months ago. Kaplan recommended leaving it to the discretion of the board members on the committee. Brockman asked under what circumstance would you not want to have the public in attendance. Kaplan gave an example of meeting with an individual employee or having a meeting with an accountant in their office. *Segorski motioned, VandeWater seconded to set policy that public participation in committee meetings is up to the discretion of the board members of that committee. Motion carried.*
- d) **Jointly-owned trailer with Mattson and County.** Mattson indicated that the title to the trailer was never reassigned from the original owner, but Mattson and the District are listed on the title transfer. Mattson indicated that a municipal plate was used on the trailer and the trailer is no longer plated and the trailer is now at Pioneer Park but has been on Mattson's private property. The Parks and District used it the most. Mattson claims the District was given four municipal plates by the Secretary of State and currently has the title to the trailer. Mattson is willing to buy out the other owners at \$2000 each. According to Mattson, Commissioner Barron will be bringing this to the County Board at their next meeting. Additional discussion indicated that District-equipment has been removed per the Commissioner's request. No action was taken.
- e) **Cornell Forest Property; DNR Letter** – The District has made its position known regarding the barriers to public access under the guise of "wildlife ponds" and the apparent conflict of interest Mattson had with requesting the County relinquish an ingress/egress easement across Mattson's private property. Questions were posed to Mattson about the permitting surrounding the work was done on at the Country Forest focused on the ponds that were dug and wetland issues. Mattson contended that the wildlife ponds were dug in an upland but would not answer Kaplan's question if an EGLE (DEQ) permit would be required to fill them. Brockman questioning was why two ponds *were dug in such close approximately to each other. Mattson replied that two were dug*

in case one did not fill with water. VandeWater added that the pond didn't need to be dug so deep given the presence of a "clay lens". Mattson contends that the depth of the ponds was necessary to keep water year-round. Brockman contested this assessment. Mattson countered that shallow ponds promote alge blooms. Mattson claims the work on the ponds were part of a State Wildlife grant from the DNR and local non-profit Whitetails Unlimited and approved by the County.

- f) **County Letter to District** - The District has complied with recent motions of the County Commission to remove District property from County property and return County property to the County (dump trailer). The District still maintains a gate on private property (Stanek) at the Cornell Forest that will be addressed in the spring. Mattson will check on gate ownership and incorporate into his succession plan.

16. **Public Comment; Chris Williams (Ford River Township)** Recalls that the District paid for the gate on Staneks property per District meeting minutes.

*Anne McNamara (Escanaba)*- The County and the District have been aware of the safety hazard of the wildlife ponds for over a year. Given the County's current position they do not want the District to address the safety hazards prior to relinquishing management back to the County is effectively absolving the District from liability and we shouldn't expect any confirmation from the County prior to the end of the year.

*Kelli VanGinhoven (Escanaba)* – suggested checking to see who has insurance on the trailer as this may provide insight into ownership.

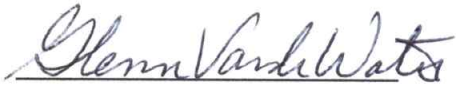
*Rory Mattson (Escanaba)* – Commented that the District may have to check the financial records to determine whether the District owns the gate on Stanek's property adjacent to the Cornell Forest. The gate was originally placed with the permission of Plum Creek prior to Mr. Stanek purchasing he property and was the original site of the original walking trail and the Board may have paid back the gate. Mattson will check on how the finances were allocated for the Stanek gate. Kaplan raised conflict of interest concerns regarding Mattson's property ownership with Stanek. According to Mattson, Gary Stanek is open to moving the gate onto county property.

17. **Board Comment** – VandeWater gave a report on his positive experience at the MACD conference at Shanty Creek. He suggested the Board consider adding an Education Committee. Kaplan provided comments regarding Rory's long tenure at the District and his talent. Mattson provided additional comments on the history and operations of the District and his thoughts on the future of the Conservation District.

18. **Adjourn** - Brockman moved to the adjourn the meeting at 6pm.

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

Meeting Minutes approved on January 10, 2024.

A handwritten signature in cursive script that reads "Glenn VandeWater". The signature is written in dark ink and is positioned above a horizontal line.

*Glenn VandeWater, Secretary*