

FIFE LAKE AREA UTILITY AUTHORITY (FLAUA)

Regular Meeting - Minutes

Wednesday, September 21, 2022, 6:00 p.m. 231-879-3565
Fife Lake Township Hall, 134 Morgan Street, Fife Lake, MI 49633

CALL TO ORDER: President Tom Gray called the meeting to order at 6:02 p.m.

ROLL CALL: President Gray called Roll.

Present: President Tom Gray, Vice President Marilyn Hayes, Treasurer Jodi Thayer and Commissioners Ron Broering, Tom Hempsted, and Dave McGough. A quorum was established.

Absent:

Secretary Leigh Gifford
Commissioners Jim Gifford and David Gill

Others in Attendance:

Ms. Kay Held, Recording Secretary

APPROVAL OF AGENDA:

Old Business:

- Add "Destruction of 9-21-22 Closed Meeting Minutes – Re: Lawsuit"
- Update on Compliance Officer Injury by President Gray

Board Action:

Mr. Broering made a motion to approve the Agenda as amended. Ms. Hayes seconded the motion.

VOTE: YEAS: All. NAYES: None. Motion carried.

ACCEPTANCE OF MINUTES:

Acceptance of Regular Meeting Minutes of August 17, 2022:

2 corrections:

Page 1: Treasurer's Report. Line 1, states the "June, 2022 Treasurer's Report" – should read the "July, 2022 Treasurer's Report."

Page 3: Old Business: Says "None." However, there was Old Business reported. Delete the word "None."

Board Action:

Mr. Hayes made a motion to accept the Minutes of the August 17, 2022, Regular Meeting as amended. Mr. Hempsted seconded the motion.

VOTE: YEAS: All. NAYES: None. Motion carried.

TREASURER'S REPORT:

Treasurer's Report – Financial Report of August, 2022, and Payment of Bills:

The August, 2022, Treasurer's Report was distributed in advance of the meeting for Board review. An updated A/P was provided. Treasurer Thayer also reported on the following:

Regarding Budget to Actuals after eight months: Income: Projected to be 66%; currently at 79% YTD. Postage and Internet expenses are slightly over projection. Natural Gas is at almost 84%.

Regarding Payroll, we currently have six employees. Compliance Officer Ravary is full-time. Two of the part-time employees are working in excess of 30 hours each (for the fencing project). We have increased payroll expenditures the

past month or two due to the fence project. Payroll projections are 66%; currently Payroll is at 72% YTD and Wages are at 74% YTD.

Uncategorized and Legal expenses are well under budget; monies can be moved from those accounts if necessary when balancing the budget at year's end.

Board Action:

Ms. Hayes made a motion to approve the Financial Report as presented. Mr. Broering seconded the motion.

VOTE: YEAS: All. NAYES: None. Motion carried.

Payment of Bills: August, 2022, Bills Payable: There was Board discussion regarding Bills Payable.

Board Action:

Mr. Broering made a motion to approve the August, 2022, bills as presented. Mr. Hempsted seconded the motion.

ROLL CALL VOTE: Hayes-Y, Thayer-Y, Broering-Y, Gray-Y, McGough-Y, Hempsted-Y. Motion carried.

GUESTS: None.

COMMITTEE REPORTS:

Personnel Committee:

Ms. Thayer reported that she, Secretary Gifford, and Commissioner Broering met in person and with Compliance Officer Ravary via telephone to hold discussions with the part-time employees. They spoke with three of the five staff: Mr. Mark Kalfaian, Mr. Jeremiah Bacon and Mr. Josiah Cummer. Messrs. Bacon and Cummer would like to work as many hours as possible, expressed a desire to learn and take on additional responsibilities, and are interested in full-time opportunities. Mr. Cummer is also interested in securing medical insurance.

The Personnel Committee was unable to meet yet with Ms. Tracy Brooks-Sprague and Mr. Chris Houghton. Compliance Officer Ravary will speak with Mr. Houghton to inquire whether he is interested in more hours. It was again reiterated that we need to have a well-trained and knowledgeable person to back up the Compliance Officer in the event of vacation, illness or injury. Mr. Houghton has been receiving advanced training, is knowledgeable of equipment and processes, and has been the employee to back up Mr. Ravary; however, there is Board concern that he is only working a couple of hours on the weekend. The Committee will prepare their report after speaking with the remaining staff.

There was additional discussion and agreement that FLAUA does not need five part-time employees. Having numerous part-time staff creates additional expense to FLAUA. Staffing decisions will be made once all employees have been met with and a Committee report has been submitted.

Steering and Operations Committee: No meeting. No report.

Compliance Officer/FVOP Report: The Compliance Officer Report was distributed in advance of the meeting. Mr. Ravary remains at home due to his workplace injury. He is working remotely on administrative matters and fielding phone calls. He reports that he has been in close contact daily with his employees and receives regular updates on work completed. He is also in touch regularly with President Tom Gray. Mr. Ravary states he expects his physician to provide him a Return to Work with Restrictions at his October 5 appointment. He also anticipates being off crutches at that time, able to drive more freely, and able to resume more responsibilities. He will facilitate effluent sample analysis.

In his report, he referenced the Personnel Committee meeting discussed above. He has met and spoken with the MIOSHA investigator. The MIOSHA representative provided him with the MIOSHA Code for review and will be sending FLAUA his report with recommendations and any regulatory action they may take. The MIOSHA representative was satisfied with our program and conditions at the plant; however, it is likely some action will take place due to the seriousness of Mr. Ravary's injury. He stated it is unheard of that no action is taken in similar situations.

President Gray reported he has been in regular communication with Mr. Ravary while he has been on medical leave.

CITIZEN COMMENT: None.

NEW BUSINESS:

Update on Compliance Officer Injury by President Gray:

President Gray reported the activity he has been monitoring in the absence of Compliance Officer Ray Ravary who was injured in the workplace on Wednesday, 8-17-22. He has been making phone calls and is in contact with Mr. Ravary as well as the part-time staff. He also reports the employees have been working well independently each time he has made site visits.

Mr. Mark Kalfaian is running routes and performing light-duty tasks. Ms. Tracy Brooks-Sprague has been painting steel fence posts, many of which can be re-used. Other staff is working on tear-out and replacement of the fencing. The new fencing is 5' high rather than the old 4' fence. We are not replacing the barbed wire. Mr. Gray has showed them how to straighten bent posts, etc.

Other than a few days; i.e., day of injury, surgery and some in between, Mr. Ravary has continued to work from home doing administrative tasks, communicating with and directing his staff on work assignments, following up on deadlines, computer work, research, and telephone calls. He has also had the opportunity to work on administrative tasks he hasn't had time for as he is always busy at the plant and in the field.

President Gray reported to the Board that Mr. Ravary is currently approved to work two hours/day restricted and remains on crutches. At his doctor's appointment next week, he hopes that he will be able to work four hours/day, and after his follow-up appointment on 10/5, Mr. Ravary is hoping he will be off crutches and able to return to work full-time, but expects restrictions.

President Gray spoke with Treasurer Thayer and is asking for Board consensus to retain Mr. Ravary on his regular employment payroll rather than through Workers' Compensation as he has been working throughout his leave. It is more cost-effective to maintain his payroll as is. If he were on Work Comp, Progressive Insurance would need to send someone out each day to ensure a Licensed Operator is in place. Ultimately, the expense of Progressive would be great.

Mr. Gray also spoke with our Insurance Agent Paul Olson as well as a Workers' Compensation Representative. Work Comp is covering the medical expenses. Essentially, there has been no missed time, and Mr. Ravary has continued to be paid for his regular 40-hour work week. Mr. Ravary would like to remain on his regular payroll status. He has continued to provide a detailed time sheet to Treasurer Thayer.

There was Board consensus to retain the Compliance Officer on his regular payroll status versus Workers' Compensation. Mr. Ravary is in agreement with this arrangement.

President Gray reported there has been a MIOSHA inspection and there will likely be a fine. This is typical for any type of workplace accident or injury. The Compliance Officer reported on this in greater detail.

OLD BUSINESS:

Destruction of 9-21-21 Closed Meeting Minutes – Re: Lawsuit:

The documentation from the 9-21-21 Closed Meeting Minutes regarding the Van's Lane resident Lawsuit are, by law, to be destroyed one year and one day from that time. This file was turned over to the Compliance Officer with all of the 2021 Recording Secretary's meeting packets. It is clearly marked in a gold clasp envelope among the 2021 records.

The Compliance Officer will destroy this envelope and its contents.

COMMUNICATIONS: None.

CITIZEN COMMENT: None.

OUTSTANDING TASK LIST:

The Outstanding Task List was reviewed. New items were added for individual and Board follow-up.

ORGANIZATIONAL CALENDAR:

Each item on the Organizational Calendar for September was reviewed and discussed. No revisions were made to the Organizational Calendar today.

BOARD COMMENT:

There was Board discussion and consensus to replace Commissioner Jim Gifford as he has been unable to attend meetings for quite some time due to his work schedule. This request was received by Mr. Tom Hempsted (FLAUA Commissioner), who is the Deputy Township Clerk. He will notify Mr. Gifford and begin the process of finding a new candidate for this appointment.

The Board commended and thanked President Gray for his initiative and additional efforts in overseeing matters and communication with Compliance Officer Ray Ravary since his accident and workplace absence.

ADJOURNMENT:

Ms. Thayer made a motion to adjourn the meeting. Mr. Broering seconded the motion.

The meeting adjourned at 7:03 p.m.

Submitted by: Kay Z. Held, Recording Secretary