

**VILLAGE OF GOODRICH
REGULAR COUNCIL MEETING
June 13, 2011, 7:00 PM
MINUTES**

Called to order to 7:04 PM

Present: Jackson, Morey, Horton, McAbee, Clerk Schierup, Treasurer Newton, Attorney Robb

Absent: None

Approval of Agenda

MOTION: To approve agenda with the addition of Item No. 10 to new business.

Moved by Horton, seconded by Morey

Carried

Minutes, Regular Mtg., May 9, 2011

MOTION: To approve.

Moved by Horton, seconded by Morey

Carried

Minutes, Special Mtg., May 23, 2011

MOTION: To approve.

Moved by Morey, seconded by Horton

Carried

Minutes, Special Mtg., June 9, 2011

MOTION: To approve.

Moved by Jackson, seconded by McAbee

Jackson, McAbee voting in affirmative, Morey opposed, Horton did not vote

Treasurer's Report

MOTION: To approve.

Moved by Horton, seconded by Morey

All present voting in the affirmative, Carried.

Bills and Transfers

MOTION: To approve.

Moved by Morey seconded by Horton

All present voting in the affirmative, Carried.

PUBLIC COMMENT:

Keith Walworth – Asked why the public hearing was skipped. McAbee states it is Item No. 9 Walworth read a letter from Mr. Morey informing him that his social security number had been compromised at the village office. Walworth asked where his information was right now and since it was his personal information that was compromised, what was the village going to do to protect his information from identity theft. Attn. Robb responds that he has not read the letter and that his information is under control of the Sheriff's department. Mr. Walworth asks if his information is in the hands of the Genesee County Sheriff's Department. Mr. Robb states he does not know. Mr. Walworth states he would rather hear from Mr. McAbee as he is the man responsible for the copying of the server. McAbee states he did not copy them personally but they are in the hands of a forensic computer investigator that is still on going and that the letter was not authorized. Walworth states that he was not aware the copying of the hard drives was authorized. McAbee states that Wartella authorized it and then he authorized it. Walworth requests a letter explaining where it is, who has it and how his social security number is being protected.

Norm Bass – Who is responsible for contacting, I.T. Right for receiving the info on all the computers in the village office including passwords and giving the info to a detective company without council approval?

Who is responsible for contacting Dalman investigating company for receiving all data from the computers in the office of the village including Social Security numbers for some thirty personnel without council approval?

Who is responsible for hiring Dalman Investigating company for bills that we received over \$5000.00 without council approval?

Who is responsible for paying \$110.00 for the protection of 30 some peoples Social Security numbers that were taken illegally without council approval?

McAbee states that the investigation is being done by an approved company that the state police used. An ex-policeman and he does a lot of work for the State Police. There are procedures he is certified in areas and the info is under his control. Does not and will not leave and it's on going.

Bass asks where was it brought before the board and accepted for doing this type of operation

If Plante Moran requested this information it would still have to go before the council for approval

Bass stated, As a taxpayer I'm requesting both McAbee and Jackson resign themselves from the Village in good favor of the Village.

Cindy Johnson – Stated she was sadden by the fighting. Stated that the dust was bad by her home due to the school bus traffic. School buses come past her home from four different directions and she is concerned for the life of a child that may go unseen in the cloud of dust. She asked why everyone didn't resign.

Angie Adamec – Stated that she was disturbed by the breach of her identity. She called Mr. McAbee at his house and left a message with his wife asking him to call her. He did not respond so she then wrote a letter and put it in his mail box at the Village office. She wanted him to explain his actions, why he

copied the server without council approval? She asked "What is happening to our identity?" I am trying to understand this and express my concern over this but Mr. McAbee has not contacted me back. Now as a public servant don't you feel obligated to respond? Mr. McAbee stated the letter had asked for a public hearing and this was it. Mrs. Adamec offered to read her letter as it was a personal face to face meeting she had requested, but either way she had no response from McAbee. She further stated her issue was not only the security breach but that she had made two attempts to contact him and he refused to talk to her. Mr. McAbee indicated that the County had requested the copy of the computer.

Jerry Kasperski – stated that when he worked at Chrysler, they assigned employees I.D. numbers instead of using their Social Security numbers.

Traci Sasser – Stated that she had been made aware that her Social Security number had been taken from the Village office and wanted to know who had it, where is it, why was it taken, who's paying for the way it was taken and what is going to happen to it?

McAbee responded, the Social Security numbers are in the hands of the investigator, it was never in the hands of an individual. It's in the Lansing area. It is the continuation of an investigation.

She asked if Mr. McAbee was aware that it was the copying of the server that had breached the Social Security Numbers. McAbee responds that it all started when it left the office.

In response to "who's paying for it, McAbee states, nobody has. They will present a bill to the village, they being the investigator and who picks up that bill....few possibilities. The way it is right now a bill has not arrived at the office, not a complete bill. Sasser states that it was addressed to Patricia Wartella not the Village. McAbee states that it's all in control of someone that is insured and bonded and not in control of individuals.

Sasser states that the reason there is an issue with Social Security numbers was because of payroll not I.D. numbers.

Norene Newton – When you were talking to Angie you were referring to Feb. 11 for Jakki's computer and hard drive. It was not ever approved to take a server copy of copies of the other 3 computer up there. Unless there was a meeting I was not aware of where that was council approved. The only thing council approved was to take Jakki's computer. It was never approved for the server hard drive or the other 3 computers.

McAbee responded that he was not sure he could answer other than the computer system, not really sure he could answer that correctly.

Newton stated that the employee I.D.'s were not the issue the Social Security numbers were compromised because the employee W2's were copied. She also questioned who would be paying for the copying as it was never approved by the council.

McAbee responded that the bill will be presented in full and we will have to discuss it. There will be a better presentation than us sitting here and speculating on it.

Newton asked if bills were supposed to be approved over and the contract approved by the attorney prior to hiring?

McAbee states it is part of an on going investigation.

Newton states the point she is trying to make is that it was never approved by council.

Gary Sutton - Asked Mr. Horton to explain why he had the administrator's hard drive.

Mr. Horton explained the council motion requiring Sidge to make her hard drive available to council for copying. He stated it was turned over to him by Sidge right after the meeting, in compliance with this order. He took it home rather than leave it on a desk or taking back down stairs and leaving it on a table. He had it over the week-end. He turned it over to the village code enforcement officer, Dave McDonald, who was a former Genesee County Officer, as soon as possible, as he had no idea what to do with it. Mr. McDonald turned it over to the Genesee County Sheriff. There is a letter from Attorney Robb that showed that I gave it to McDonald. Dave signed it, I signed it and Dave gave it to the Sheriff.

Sutton: I thought all they asked was to copy it, not take it.

Horton: We weren't going to copy it. We took it to a professional to copy it.

Sutton: And did they make a copy of it?

Horton: You would have to ask council. The people who wanted it.

Sutton: What bull shit.

Horton: Do you understand that at all.

Sutton: I do.

Horton: I didn't think you did.

UNFINISHED BUSINESS

1. Genesee County Sheriff Department Report - May's Report was noted.
2. Committee Reports
 - a. Street Administrator – A large log took several days to remove from the dam. The level was low during this time.
 - b. 911 – No Report
 - c. Water and Waste – Genesee County Water and Waste has changed all village passwords several times because of security breach of computer system.
 - d. Parks & Rec – Farmers Market held flower day
MOTION: To authorize Morey to pay electricians to wire the pavilion at a cost not to exceed \$400.00
Moved by Horton, seconded by Morey
All present voting in the affirmative, carried.
3. Code Enforcement – See new business
4. Sidewalks – No Report

NEW BUSINESS

1. Interim Council Member

Mr. McAbee suggests that Dave McDonald be appointed. Treasurer Newton states that 3 people have called the office expressing interest in the position. Clerk Schierup notes that council had asked the audience of the last regular council meeting to “put their name in at the office if they were interested”. Mr. McAbee writes down the names passed to him by Clerk Schierup. Three names are on the list and a letter of intent from Angie Adamec is attached to the list.

McAbee suggests that the interest parties be allowed to address the audience and it is noted that Beth Sommers is not at the meeting as she has had an accident and is hospitalized. Sandra Jenkins, Richard Saroli and Angie Adamec speak to council giving their reasons for applying for the interim position.

Mr. Jackson then suggests that Mr. Konkle, who is also running for office may want to serve as interim. Mr. Konkle is allowed to address the council. Mr. McAbee asks council if they prefer a closed or open ballot. Mr. Jackson states closed. Mr. Horton states closed. Mr. Morey states that he prefers the vote be open and that they just make a motion to appoint someone. Audience member Keith Walworth suggests that each member put three names on a sheet of paper and see where that goes. Mr. McAbee passes out slips of paper and it is decided that each council member will write down two names. The completed slips are passed to Clerk Schierup to read. Clerk Schierup reads each slip and when Greg Konkle’s name is read, asks if the pronunciation was correct. She then reads Mr. Konkle’s name a second time. It sounds on the recording as if the name is being repeated for clarification when it is actually being read twice. Clerk Schierup is handed the tally by Treasurer Newton and reads that Beth Sommers and Richard Saroli have received two votes and everyone else has received one. At this point no action is taken and the council seems to be pondering what to do next. Attorney Robb then questions how long this position was posted and when it was first discussed. Clerk Schierup states that council had asked the audience to “put their name in at the office if they are interested” at the last Regular Meeting. Clerk Schierup states that it was in the form of a motion, and then reads the minutes aloud, to clarify her misunderstanding to Attn. Robb in answer to his sudden outburst.

McAbee reads paperwork, confers with Robb and council members chat. McAbee states that they had not followed protocol. Mr. Morey makes a motion to appoint Saroli.

MOTION: To appoint Richard Saroli to the council as the interim council member.

Moved by Morey, seconded by Horton

Roll call vote: Jackson yes, McAbee no, Horton yes, Morey yes. Carried

Mr. Saroli was given the oath of office by Clerk Schierup and took his seat at the council table.

2. GCCDBG Program Participation
Motion: To continue participation with the Community Development Block Grant Program
Moved by Horton, seconded by Morey
All present voting in the affirmative, Carried.

3. Nancy Steele/Gardener
No action was taken at this time

4. Code Enforcement
MOTION: To hire Tom Sanford as Code Enforcement officer.
Moved by McAbee, seconded by Jackson
All present voting in the affirmative, Carried.

5. Resolution 2011-7 Appointing a retirement fund administrator
MOTION: To appoint Richard Horton as retirement fund administrator.
Moved by Horton, seconded by Morey
All present voting in the affirmative, Carried.

6. Resolution 2011-8 Council Meeting Schedule for 2011/2012
MOTION: To approve the meeting schedule as presented.
Moved by Morey, seconded by Horton
All present voting in the affirmative, Carried.

7. Resolution to set Administrative compensation
 8. Resolution to elect and set administrative compensation
MOTION: To postpone items 7. and 8. under New Business until a later date.
Moved by Morey, seconded by Horton
All present voting in the affirmative, Carried.

9. Karl Haiser, Budget
Haiser stated that he would have the budget completed and ready to present on June 21, 2011.

10. Elevator Inspection
MOTION: To approve B&D elevator to inspect the elevator for approximately \$800.00.
Moved by McAbee, seconded by Horton
All present voting in the affirmative, Carried.

Motion to have the fire extinguishers inspected
Moved by Morey, seconded by Jackson
All present voting in the affirmative, Carried.

MOTION: To Adjourn
Moved by Horton, seconded by Jackson

Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Patricia Schierup, Clerk
Village of Goodrich

Presented:

Accepted: