

REGULAR MEETING MINUTES

July 17, 2006

VILLAGE OF LYONS

212 Water Street, P.O. Box 175
Lyons, Michigan 48851
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villageoflyons@lyonsvillage.org

Meeting called to order by President Bernard Russell at 7:01 p.m.

Pledge of Allegiance to the Flag

Roll Call:	Ann Randall	Ab	Rosie Ferris	P	Jim Shattuck	P
	Carrie Webster	P	Stan Nave	7:20	Paul Tunell	P
	Bernie Russell	P	Jill Stilson	P	Linda Rairigh	P
	Susan Craft	P	Steve Larson	P		

Guest Attending:

Charity Wooden	Christopher Wooden	Robert Reynolds
MaryKay Bitten	Marti Gladding Bennett	Bryon Bennett

Approval of Agenda – Motion offered by Trustee Ferris, second by Trustee Shattuck to approve the agenda as written. Motion carried by voice vote.

Public Comment:

* Robert Reynolds discussed the upcoming vote on Senior Citizen Millage renewal, the vote is asking to be extended from four years to eight years.

* Charity Wooden asked to have a retraction letter written with an apology. Mr. and Mrs. Wooden received a letter stating they were in violation of Ordinance Part 40, 40.107 breach of the peace offenses. At the bottom of this letter it states “A copy of this letter and the attached ordinance will be kept on file at the Village Office, and a copy will be going to the Village Prosecuting Attorney Patrick Duff. At the time when received, Mrs. Wooden was told that a copy of the letter “would not be going to the Prosecuting Attorney”. Mrs. Wooden stated “the Village was lying”, and therefore, any offence should be removed and a retraction be written. President Russell stated that we are not the police and the letter and the complaint will remain on file, and there will be no letter of retraction written. Trustee Webster commented that when a written complaint is received by the Village Office, the Village will respond, in the event the complaint is not complied with then the letter and a copy of the complaint will be forwarded to the Prosecuting Attorney.

* Bryon Bennett representing the Events Committee/Island Fest let it be known that the bench donated during the Island Fest in honor of Elaine Nelson was donated by Polyproducts to the Village Parks. The Village will need an address to send a letter of appreciation. Linda handed out the final reports for the Island Fest to the council and committee.

* The Event Committee requested to have the Portland Cruisers come to town Thursday, August 3rd for a car show. Planning on having a DJ, a Poker Walk and awarding prizes, The Committee requested the sum of \$300.00 to pay for the music and miscellaneous expenses. The Committee would like to have the DDA reimburse the event committee after the next DDA meeting. A request to have the Comfort Station opened and some picnic tables moved to area for seating. Motion offered by Trustee Webster, second by Trustee Ferris to approve the expense of \$300.00 to be refunded by the DDA for the Portland Cruisers event and to include a DJ and a Poker Walk. Motion carried by voice vote.
The drivers will re-group at the factory before the parade and Cruise through town.

Judy Rich received a letter from the Village concerning weeds in the ditch located near there home. They were offended by the last paragraph stating, "A copy of this letter and the attached ordinance will be kept on file at the Village Office, and a copy will be going to the Village Prosecuting Attorney Patrick Duff." The ordinance states, "The Village shall have such lot or parcel of land mowed by an outside vendor at the vendors stated rate at the property owners' expense." President Russell noted we have just initiated this new ordinance, and we apologize. It will not happen again. Trustee Webster stated we have used a standard letter format, perhaps we should look into a new format.

Island Fest Report – Linda Rairigh

Linda wanted to discuss with the Island Fest Committee the report handed out, and noted an error in the revenue of being overstated by \$ 90.00. These were camping fees that should not have been put into the revenues. Shows to be \$ 344.00 over budget, the extra expenses not included in original budget were; gas for building the track and the electrician. We now have 1,000.00 (One Thousand dollars) for next year or for other events for this year.

Presidents List – Bernard Russell

1. Skate Ramp – **Tabled for further study.** Do a survey of the business and get their thoughts.
2. Modern Woodmen of America, would like to use the park for a fund raisers in September for Misty Edwards, Wilma Bailey will be attending the August 20th meeting to fill us in.
3. President Russell requested a sign for Robinson Park. Susan noted she has an old sign in storage. Sign to be placed by basket ball court.
4. Approval of the Social Security Number Privacy policy & Handbook Insert
Motion offered by Trustee Webster, second by Trustee Shattuck to incorporate the Social Security Number Privacy Policy into the Personnel Policy and Handbook
Motion carried by voice vote.

SOCIAL SECURITY NUMBER PRIVACY POLICY

VILLAGE OF LYONS
IONIA COUNTY, MICHIGAN
JULY 17, 2006

1. **Purpose.** The Village of Lyons (the "Village") is required by the Michigan Social Security Number Privacy Act, Public Act 454 of 2004, MCL §445.81 et seq., (the "Act") to create a privacy policy concerning the Social Security numbers that it possesses or obtains. Pursuant to the Act, the privacy policy must at least:
 - a. Ensure to the extent practicable the confidentiality of the Social Security numbers.
 - b. Prohibit unlawful disclosure of the Social Security numbers.
 - c. Limit who has access to information or documents that contain the Social Security numbers.
 - d. Describe how to properly dispose of documents that contain the Social Security numbers.
 - e. Establish penalties for violation of the privacy policy.

This Privacy Policy sets forth the Village's policies and procedures regarding how Social Security numbers are obtained, stored, transferred, used, disclosed and disposed.

2. **Policy.** It is the policy of the Village to protect the confidentiality of Social Security numbers obtained in the ordinary course of Village business from employees, vendors, contractors, customers or others. No person shall knowingly obtain, store, transfer, use, disclose, or dispose of a Social Security number that the Village obtains or possesses except in accordance with the Act and this Privacy Policy.
3. **Procedure.**
 - a. **Obtaining Social Security Numbers.** Social Security numbers should be collected only where required by federal and state law or as otherwise permitted by federal and state law for legitimate reasons consistent with this Privacy Policy. Legitimate reasons for collecting a Social Security number include, but are not limited to:
 - Applicants may be required to provide a Social Security number for purposes of a pre-employment background check.
 - Copies of Social Security cards may be obtained for purposes of verifying employee eligibility for employment.
 - Social Security numbers may be obtained from employees for tax reporting purposes (e.g. IRS Form W-4), for new hire reporting or for purposes of enrollment in any Village employee benefit plans.

- Social Security numbers may be obtained from creditors or vendors for tax reporting purposes (e.g. IRS Form 1099).

b. Public Display. All or more than four sequential digits of a Social Security number shall not be placed on identification cards, badges, time cards, employee rosters, bulletin boards, permits, licenses or any other materials or documents designed for public display. Documents, materials or computer screens that display all or more than four sequential digits of a Social Security number shall be kept out of public view at all times.

c. Account Numbers. All or more than four sequential digits of a Social Security number shall not be used as a primary account number for an individual.

d. Computer Transmission. All or more than four sequential digits of a Social Security number shall not be used or transmitted on the Internet or on a computer system or network unless the connection is secure or the transmission is encrypted.

e. Mailed Documents. Village documents containing all or more than four sequential digits of a Social Security number shall only be sent in cases where state or federal law, rule, regulation, or court order or rule authorizes, permits or requires that a Social Security number appear in the document. Documents containing all or more than four sequential digits of a Social Security number, that are sent through the mail, shall not reveal the number through the envelope window or otherwise be visible from outside the envelope or package.

f. Freedom of Information Act. Where all or more than four sequential digits of a Social Security number are contained within a document subject to release under the Freedom of Information Act, the Social Security number shall be redacted or otherwise rendered unreadable before the document or copy of a document is disclosed. MCL §445.82.

g. Storage. All documents containing Social Security numbers shall be stored in a physically secure manner. Social Security numbers shall not be stored on computers or other electronic devices that are not secured against unauthorized access.

h. Access to Social Security Numbers. Only personnel who have legitimate business reasons to know will have access to records containing Social Security numbers. The department heads having access to records containing Social Security numbers shall determine which other personnel within their departments have a legitimate reason in the Village's ordinary course of business to have access to such Social Security numbers. Personnel using records containing Social Security numbers must take appropriate steps to secure such records when not in immediate use.

i. Disposal. Documents containing Social Security numbers will be retained in accordance with the requirements of state and federal laws. At such time as documents containing Social Security numbers may be disposed of, such disposal shall be accomplished in a manner that protects the confidentiality of the Social Security numbers, such as shredding.

j. Unauthorized Use or Disclosure of Social Security Numbers. The Village shall take reasonable measures to enforce this Privacy Policy and to correct and prevent the reoccurrence of any known violations. Any employee, who knowingly obtains, uses or discloses Social Security numbers for unlawful purposes or contrary to the requirements of this privacy policy shall be subject to discipline up to and including discharge. Additionally, certain violations of the Act carry criminal and/or civil sanctions. The Village will cooperate with appropriate law enforcement or administrative agencies in the apprehension and prosecution of any person who knowingly obtains, uses or discloses Social Security numbers through the Village for unlawful purposes.

VILLAGE OF LYONS

EMPLOYEE HANDBOOK INSERTS

Policy Regarding Use of Social Security Numbers

The Village of Lyons obtains and uses a variety of confidential information in the conduct of its business. This includes documents and other records containing Social Security Numbers. Any and all documents and records containing Social Security Numbers must be obtained, used and disclosed only for legitimate business reasons. Such documents and records must also be treated as confidential, which means they must be retained in secured areas or files, password protected when stored on computers, disclosed only to authorized persons, and destroyed at an appropriate time and in an appropriate manner consistent with the Village of Lyons's policies and procedures and other legal requirements.

Employees who obtain, use or disclose Social Security Numbers for improper unauthorized or illegal reasons, are subject to discipline or discharge, as well as potential criminal or civil prosecution. For additional information, please see your supervisor, the Village Manager, or Village of Lyons's Social Security Number Privacy Policy.

As an employer, the Village of Lyons is required by federal and state law to use Social Security numbers (SSN) to report and withhold payroll taxes. The Village will use employee SSN (including elected and appointed officials, employees, and volunteers to whom compensation is paid) for payroll functions, expense reimbursement, and federal and state income tax reporting purposes.

5. Status change for Linda, would like it to be Part-time, and hourly without benefits.

TABLED

Copies of the Fair Labor Standards Act is FYI for council members, there were seventeen changes enacted in 2005-06.

Approval of June 19, 2006 Minutes – Motion offered by Trustee Webster, second by Trustee Shattuck to approve the minutes of June 19,2006. Motion carried by voice vote. Trustee Webster asked to have further explanations of corrections noted in the minutes.

Approval of July 6, 2006 Minutes – Motion offered by Trustee Ferris, second by Trustee Webster to approve the July 6, 2006 minutes as amended. Remove “of the 800 feet” from Steve VandenBrink’s comment. Motion carried by voice vote.

Approval of July 11, 2006 Special Meeting – Motion offered by Trustee Webster, second by Trustee Ferris to approve the July 11, 2006 Special Meeting minutes as amended. Add “the quantities stated by Todd Richter do not include the mobilization cost”. The site has not been de-mobilized. Motion carried by voice vote.

Ask Todd for a clarification of mobilization. Trustee Nave asked if we had heard anything concerning a cost adjustment on the street project from Fleis and Vanden Brink. Reply, nothing as of today.

Trustee Shattuck asked to be excused at this time. 8:20pm

Approval of Accounts Payable for June 2006 – Motion offered by Trustee Webster, second by Trustee Nave to approve June 2006 Accounts Payable. Motion carried by voice vote
Trustee Webster asked to have a copy of the legal expenses sent to her. President Russell asked where the two trees were placed. Reply from Susan was one at Kenton Eavey’s home, and one at Sharon Grobbell’s home.

Treasurer Report – Linda Rairigh

Linda created a new report for the Street Construction Projections

STREET CONSTRUCTION PROJECTIONS	
As of July 17, 2006	
Original Construction Cost Estimate	\$500,000.00
Bond Cost	14,000.00
Additional Cost Overrun	159,875.89
TOTAL COST	673,875.89
Federal Grant	(\$319,194.00)
Bonds Issued	(175,000.00)
General Fund Budget	(90,000.00)
Major Street Fund Budget	(60,000.00)
AMOUNT NEEDED	\$29,681.89

President Russell stated he would not even consider the use of any Equipment Replacement Fund dollars. It is needed for the maintenance of the village equipment. Motion to accept the June’s Treasurer Report offered by Trustee Nave, second by Trustee Webster. Motion carried by voice vote.

COMMITTEE REPORTS

Street Committee – Ann Randall, Chair

Absent, nothing at this time.

Finance Committee – Carrie Webster, Chair

Nothing at this time

Personnel Committee – Ann Randall, Chair

Absent, nothing at this time.

Fire, Water and Sewer Committee – Paul Tunell, Chair

The DPW are waiting for the cost of installation for the new water master meter. DEQ was here for their annual site visit.

Grants Committee – Jim Shattuck, Chair

Nothing at this time

Ordinance Committee – Carrie Webster, Chair

Trustee Webster will rewrite the status change for Linda

Parks Committee – Jim Shattuck, Chair

Mrs. Flecher commented that she felt the Park Pavilions should have been cleaner, and there were bees in the children's play area. Susan stated that she has scrubbed the tables three times this summer. Also Bees are a problem again. Steve sprayed for bees and cleaned both pavilions before each function that weekend.

DPW Report – Susan Craft, Superintendent

None

Tabled Items: Status change for Linda, Skate Ramp

New Business –

- * Headley Roll Back, Jill contacted Laura Stewart and she suggested we call Dan Lake who is out of the office at this time. Our current mills are 11.97. The maximum we are allowed is 15 mills to operate the village. To get it back up, it will need to be placed on a ballot at the next election in September of 2007.
- * Engineering Company, Trustee Webster would like a survey of municipalities as to who they use for engineering, and how they like their services. Comments from other communities that have use Fleis and Vandenbrink in the past and how they liked them.

Trustees Webster and Nave both feel the mistake made on the road project should have been caught before the asphalt was down. The council should write a letter to Larry Fleis to ask for a meeting to discuss the concerns of the construction cost.

Council Comment – None

Adjourn – Motion offered by Trustee Webster, second by Trustee Nave to adjourn at 8:55pm
Motion carried by voice vote.

CERTIFICATION

I, Jill Stilson, hereby certify that the foregoing is a true and complete copy of village regular meeting minutes adopted by the Village Council of the Village of Lyons, County of Ionia, and the State of Michigan, at a meeting held on July 17, 2006. Public notice of said meeting was given pursuant to and in compliance with the Open meetings Act, Act no. 267 of the Public Acts of Michigan 1976, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: August 21, 2006

Jill Stilson

Jill Stilson, Village Clerk