

Jennifer A. Standerfer

January 18, 2018

Trustees of the Kalkaska Village Council
200 Hyde St
Kalkaska, MI 49646

To: Trustees of the Kalkaska Village Council, Jeffery Jocks Kalkaska Village Attorney

I wish to make a formal request to investigate and take action against what I feel are violations of the Village's ethical standards of conduct (Code of Kalkaska § 34.100). I have added my allegations below the relevant section of the ordinance text.

30.06 CONFLICT OF INTEREST. No member of the Council, nor any officer of the corporation, shall be directly or indirectly interested in any contract or service made by or to be performed for the corporation, provided that this shall not prevent officers receiving compensation authorized by resolution and published as prescribed by law. Any violation of the provisions of this section shall work forfeiture of the office, and on proof thereof, the Council may declare the office vacant. (M.C.L.A. § 65.6) ('67 Code, § 2.026)

The Village President, Mr. Jeff S. Sieting, has voted to approve budgets (FYE 2017, FYE 2018) where he had a reasonable expectation that he would be awarded contacts that were listed in the budget being approved. i.e. construction of public safety squad room, construction of LEIN room, construction of DPW office.

31.02 VILLAGE MANAGER

(H) Powers and duties. The Village Manager shall be the Chief Administrative officer of the Village. He/She shall be responsible to the Village Council for the administration of all Village affairs placed in his charge by or under this subchapter. The Village Manager shall have the following powers and duties: (12) To prohibit the use of village owned properties, equipment, facilities, or services except for authorized Village operations and agreements with intergovernmental agencies. (It is not the intent of this section to prohibit assistance to, or cooperation with, community oriented, nonprofit, or charitable groups, agencies, or projects; however, exceptions to this section must be approved by Village Council.)

The Village Manager assisted in having maintenance done on the old yellow plow truck before allowing the Police Lieutenant to take it to his personal residence outside the Village limits. Before the disappearance of the truck, the Clean Water Plant Supervisor had approached the manager regarding an offer from someone to purchase the vehicle for \$4,500. The Lieutenant's rationale of parking the truck at his residence to plow the village owned gun range does not hold up to scrutiny. Before being moved, the truck was stored at the wastewater treatment plant adjacent to the gun range. The lieutenant's house is 8 miles away from the gun range. The truck was in the Lieutenant's possession for a year before it was returned and while there is no history of it being used during the time for Village purposes, it was returned in a very damaged condition.

Chapter 34 Ethical Standards of Conduct

34.70 STANDARDS OF CONDUCT

The Village's integrity rests solidly on the foundation of several general rules of ethical behavior. These rules form fundamental values to be understood and honored by all.

2. Honesty

The Village expects its candidates, officers, officials and employees to not misrepresent situations, to not steal from the Village, not falsify records, or misuse Village property, equipment, supplies or assets for personal gain or benefit or for the gain or benefit of others.

The Village Manager and the Village President have misrepresented what the purpose of the most recent was being started early for. They implied to council and the public that the audit was being done to address my concerns of financial misappropriations, when in reality the audit is just a normal annual financial audit that they moved the start date up on. A normal financial audit would not reveal the financial concerns that I brought to the council due to their nature.

The Village Manager and the Village President misrepresented the purpose of bringing in outside help to straighten out the books two years ago. The Village President has created a publically shared a Facebook video on December 23, 2017 titled "Coffee with the President" where he misrepresents further what the actual situation was. It has been stated that I made such a mess of the books that the auditors left angry stating they couldn't do anymore work. According to the auditor, there were issues with the books due to the recent change in software, an issue that most municipalities switching to this software have experienced.

4. Perception

The Village expects its candidates, officers, officials and employees to act in such a way as to create the perception that he, she, and the Village is acting fairly, honestly, and evenhandedly without partiality, favoritism, or dishonesty. The Village expects its candidates, officers, officials and employees to avoid the appearance of impropriety, that behavior which suggests he, she or the Village is acting questionably.

There are many closed door meetings. i.e. On December 20, 2017, the day of the Personnel Committee meeting scheduled to discuss my turning off debit cards, the Village Manager and the Village President had a closed door meeting prior to the committee meeting with the Personnel Chair discussing the issue with me; while leaving the third committee member clueless as to what the meeting was even being planned to discuss.

6. Direction and Suggestion

The Village expects its candidates, officers, officials and employees to understand that no improper action is made proper because a higher officer, official, or employee might have directed or suggested the action.

The Village Manager and Village President have both demanded that I turn back on the cancelled debit cards even though the cards were cancelled due to failure to follow the policy and turn in receipts in a timely fashion. I believe that the missing receipts prevented me from fulfilling my duties described in state law (M.C.L.A. §§ 64.9 through 64.12a). Several of the missing receipts were from Amazon.com, where it is trivial to login to the account and print the receipt. This indicated to me that no good faith effort to follow the policy had been made. It was also not demonstrated to me that lack

of a debit card prevented the Department of Public Safety officers from performing their duties. A number of alternatives exist to pay for travel expenses (reimbursement, cash advance). In the interest of the taxpayer, I was awaiting advice from the full finance committee on how to proceed.

34.80 PROHIBITED ACTS

The following acts, actions, inactions, and attempted acts and actions constitute a violation of the ethical standards of conduct for city officials, officers and employees. These include but are not necessarily limited to these specific references but, rather, are intended as providing examples of actions and inactions that are prohibited by this ordinance.

6. Other Prohibited Conduct

No Village officer, official or employee of the Village shall engage in any of the practices described below in list form. The following acts, actions, inactions, and attempted acts and actions constitute a violation of the ethical standards of conduct for Village officials, officers and employees. These include but are not necessarily limited to these specific references but, rather, are intended as providing examples of actions and inactions that are prohibited by this ordinance, if not the Charter and labor agreements. They include:

1. Impeding government efficiency or operation.

The Village Manager and the Village President regularly only share the information they want others to know, even going so far as to pull different council members or employees into their confidences to share information with them. This also works in the opposite effect where the Village Manager and the Village President do not produce requested information when it is information they don't want to share. Employees, myself included, have been told on multiple occasions that if a council member requests information, that we are to pass that information onto the Manager and he will give the council member the information that they need.

2. Affecting adversely the confidence of the public in the integrity of the Village.

The Village President has repeatedly made public comments and videos attacking individuals and using hate speech. A lot of this has been done while using the tagline Coffee with the President, implying to individuals that this is the opinion of the Village.

4. Divulging confidential information.

There have been multiple times that the Police Lieutenant made me aware of confidential information regarding the lawsuits the Village currently has. The confidential information being shared with me was information he should not have been privy to in the first place.

5. Misusing Village personnel resources, property, funds or assets for personal gain or the gain of others.

The Village Manager has allowed a Village plow truck to be taken to an employee's private residence outside the village limits. He has also allowed for the police department to stack their hours to allow for unnecessary overtime. I.E. the Lieutenant had 42 hours of overtime during Trout Festival week by scheduling all of his hours for the first part of the week knowing he would also need to work the weekend to cover the festival. The Sergeant had a training on a Tuesday that instead of that being a scheduled work day, he was able to receive 10 hours of overtime. The Lieutenant was allowed to carry

a comp time balance higher than what the personnel manual states as allowable so that he could receive a larger payout upon retirement.

The Village Manager gave permission to the Police Lieutenant to purchase his work boots on the village debit card even though the union contract stated the boots were to be purchased by the employee and then a receipt submitted for reimbursement. The boots were \$21.78 over the annual allowance and the Lieutenant did not provide reimbursement to the Village for 9 months after the purchase was made.

The Village Manager allowed the Police Lieutenant and another Police Officer to take CPL classes through the NRA even though the classes were then being run through the Officer's personal gun store for the financial gain of the the store. The Manager was also allowing the Village to cover payroll expenses for these classes.

6. Representing his or her individual opinion as that of the Village.

The Village President has made many publicly posted videos on Facebook that he has titled "Coffee with the President." In these videos he has verbally attacked village residents with name calling, he has ridiculed those who have FOIAed the Village, he has verbally attacked councilmembers who had differing opinions than his, and he has given his version of the truth regarding employee matters such as my suspension.

9. Engaging in a business transaction that cause the candidate, officer, official or employee to derive a personal gain.

The Village President voted to create ordinances for the Village regarding Medical Marijuana and then sold his property to a Medical Marijuana company that the Village approved for a Medical Marijuana license.

The Village Manager allowed the village to pay for the Police Lieutenant and a Village Officer to become certified with the NRA so that they could provide CPL classes that were financially benefiting the Officer's personal gun store while the Village paid the majority of the expenses.

12. Engaging in an act, actions or other conduct contrary to honesty, justice or good morals; or an act or actions of moral turpitude.

The Village Manager and the Village President have shown a history of dishonesty. They only share with council members, employees, and the public what information they want that person to have in an effort to control the decisions being made. The Village Manager asked me to prepare some information for him that the Record Eagle was requesting regarding his wages. When I suggested if he wanted to give them accurate information, he should also include my wages in the information he was providing, he proceeded to threaten me with the fact that if people knew what I made, they would start to question my ability to work from home occasionally and that could draw undue attention to me and my position.

The Village Manager is also aware of the engineer from Gosling Czubak moving \$300,000 of village money to a restricted column on financial data that was being submitted to RD for a loan. It was stated that the concern was if RD saw that the Village had over \$900,000 in unrestricted cash, they would want the Village to spend more money.

The Village Manager was allowing CPL classes to be done through a Village employees personal business in an effort to not show additional revenue on the books due to the ongoing lawsuits the village was dealing with. The Village was covering a large portion of the expenses for those classes.

14. Making a Village decision outside of the official channels.

The Village Manager has padded hours of employees in the budget to give him room to hire additional employees without Personnel or Council knowledge or approval.

The Village Manager decided to hire the Village President to build the squad room without receiving any quotes, stating that the Village didn't need to get quotes because we already knew the Village President would be cheaper than anyone else.

The Village Manager decided that non-union part time police employees could receive biannual step increases in their wages and get paid weekly following the union contract without knowledge or approval by the Personnel Committee or the Council.

The Village Manager decided that he could transfer his personal cell phone to the Village cell phone plan without knowledge or approval by the Village Council.

I appreciate your timeliness in addressing my concerns.

Sincerely,

Jennifer A. Standerfer