

Minutes of the Clay Township Board Meeting held on Monday, February 4, 2002 at 7:30 p.m. in the Clay Township Board Room, 4710 Pte. Tremble Road, Clay Township, Michigan 48001.

PRESENT: Supervisor Joseph H. McKoan IV, Clerk Michael Pellerito, Treasurer Connie Turner, Trustee Pat Sharrow, Trustee Cindy Kirkpatrick, Trustee Dr. L Kasperowicz, Trustee Beth Engel.

ABSENT: None.

Citizens present approximately fourteen (14).

AMENDMENTS TO THE AGENDA: None.

APPROVAL OF MINUTES AND SYNOPSIS:

Moved by Sharrow, supported by Kirkpatrick to approve the January 21, 2002 Board Meeting Minutes and Synopsis as presented. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

BILLS PAYABLE:

Moved by Turner, supported by Engel to approve the Bills Payable in the amount of \$54,314.66 as submitted. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

PETITIONS: None.

COMMUNICATIONS:

Next Township Board Meeting will be held on February 18, 2002 at the Harsens Island Lions Hall, 263 LaCroix Road. Harsens Island.

OLD BUSINESS:

Contract negotiation update: meeting with Dispatch February 15th.

The Bayview Shores dredging job is being required by the DEQ to install siltation barrier curtains for an additional cost of \$7,235, 9% increase in the total cost, property owners need to be notified of the increase and let them address the Board at a formal meeting.

Clerk Pellerito: Questioned Dredge Area "A" and "B", "B" shouldn't be in the special assessment district.

Moved by Pellerito, supported by Turner to instruct the Clerk to prepare Resolution No. 3 directing the Supervisor to prepare the roll for the Special Assessment Bayview Shores Dredging Project showing the additional cost of \$7,235.00 to hold a public hearing on March 4, 2002 at 7:00 p.m., Clay Township Board Room, 4710 Pte. Tremble Road, Clay Township. R/C VOTE: AYES: Sharrow, Kirkpatrick, Turner, Pellerito, Dr. Kasperowicz, McKoan IV. NAYS: None. ABSENT: None.

MOTION CARRIED.

Stone Road Sidewalk Extension will require the extension of a pre-existing enclosure at its upstream end, per BMJ Engineers, feel the sidewalk extension design should not fall

Moved by Sharrow, supported by Dr. Kasperowicz to direct the Engineer to apply for the permit from the Land and Water Management Division of MDEQ for the Stone Road Sidewalk Extension and submit the \$500.00 fee amount with the application. AYES: All. NAYS: None. ABSENT: None.

Motion by Dr. Kasperowicz, supported by Kirkpatrick to approve the Township Building floor plan expansion as submitted by French Associates. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Supervisor Joseph H. McKoan IV introduced County Commissioner Lee Masters. Mr. Masters reiterated to the Township Board and citizens during your County Commissioner Don Dodges' illness, feel free to call any County Commissioner or Troy Feltman, County Controller if you have questions or concerns.

Water rate analysis discussion: Increase of \$1.54 per gallon is high, talked with Plante Moran Joe Heffernan, need to meet with the City of Algonac as to rate flow, technicalities that can affect the figure are professional service, utility, repairs, chemicals, etc.;

Meeting with City and Clay Auditors; should meet prior to City and Clay meeting, should not be postponed.

Supervisor Joseph H. McKoan IV to contact Township auditors to meet and then will set up a meeting after that.

Waste Water Analysis: Ira Township and City of Algonac are over their allotted 30% usage; need to set up a meeting with Ira Township and City of Algonac and make our complaint to them; Supervisor McKoan IV definitely will stay on top of this issue.

PUBLIC COMMENTS: Relating to any New Business on the Agenda. None.

NEW BUSINESS:

Cynthia S. Platzer from the St. Clair County Magistrate Court present to speak to explain the Magistrate Court system works and how your municipality may want to utilize the service of the Magistrate Court; two Magistrate Courts, one at the 72nd Court, function is to take the case load off of the Judge for such cases as traffic items, misdemeanors, etc.; Magistrate Court is the People's Court, no attorneys are allowed, people represent themselves; to local municipalities it can be used for such issues as zoning, blight, vehicle issues, etc. If you have any problems and have ideas for improvement, please contact our office.

Questions from the Board and public.

Norman Rhodes, 3206 S. Channel: Questioned tickets issued by the Township for Municipal Civil Infractions, referred to contract between Township and citizen.

Magistrate Cynthia Platzer: Not a contract, something that has been legislated, citation is a complaint.

Richard Baker: Questioned the Court system re: municipal civil infraction, give up your right to a jury.

DTE Energy Municipal Lighting Bill: Clerk Pellerito explained have not received a bill since 1999, when special assessment lighting districts were dropped, from then on it fell through the cracks, inadvertently not paid.

Trustee Cindy Kirkpatrick for the records wanted it noted that this administration was not

Moved by Pellerito, supported by Sharrow to pay the Municipal Detroit Edison Bill in the amount of \$55,112.77. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Sharrow, supported by Kirkpatrick to amend the General Fund Budget as follows:

<u>EXPENSES</u>	101-700-921-01	MUNICIPAL STREET LIGHTING
	ADD - \$63,000.00	NEW AMOUNT \$64,259.00
<u>REVENUE</u>	101-400-401-00	FUND BALANCE
	ADD - \$63,000.00	NEW AMOUNT \$133,619.34

AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Pellerito, supported by Engel to adopt the Performance and Indemnification Resolution designating the officer and the name of the person who is authorized to sign permits beginning January 2002 for the State Highway work to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over and under state trunkline right of way at various locations within and adjacent to its corporate limits. R/CVOTE: AYES: Sharrow, Kirkpatrick, Turner, Pellerito, Dr. Kasperowicz, Engel, McKoan IV. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Engel to allow the various Board members in the Township to attend the St. Clair County Metropolitan Planning Commission 10th Annual Winter Workshop on Thursday, February 28, 2002. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Informational meeting to discuss drainage problems in the area along Stone Road south of Field Road will take place on Tuesday, February 5, 6:00 p.m., Road Commission Building. Trustee Dr. L. Kasperowicz will attend the meeting on behalf of the Township.

Moved by Kirkpatrick, supported by Pellerito to receive and file the St. Clair County Road Commissioners meeting minutes of January 2, 2002 and the St. Clair County Water District IIA-Clay/Harsens-Series 2000 Progress Meeting minutes held on January 23, 2002. AYES: All. NAYS: None. ABSENT: None.

Discussion: *Trustee Kirkpatrick and Trustee Dr. Kasperowicz asked for a 5-year warranty on the pipe and the Supervisor to go into negotiation over it. Amended 2-18-2002 VJK*

MOTION CARRIED.

M.T.A. 2002 Capitol Conference will be held March 12, 2002 at Radisson Hotel, Lansing, MI.

Moved by Turner, supported by Dr. Kasperowicz to approve Eric Vanbelle #52 as a member of the Clay Township Mainland Fire Department. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Turner, supported by Dr. Kasperowicz, to approve the purchase of the three Motorola Minitor III Voice alert from BearCom in the amount of \$1,257.00 for the Clay Township Mainland Fire Department. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Engel, to approve Mainland Fire Department purchase of the Motorola MCS200 mobile radio for a total cost of \$3,365.00. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Review of the 2nd Quarter Budget: Discussion of the Reserve program hourly wage, reduce Patrol budget by \$5,000 and add to the reserve salaries.

Moved by Pellerito, supported by Dr. Kasperowicz, to transfer \$5,000 from the Patrolman Salaries line item to Reserve Salaries. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Budget discussion continued: Additional 42 hours not booked for two patrolmen. Treasurer Turner: Noted #590 Sewer Fund received two bills should have been in last year's budget, #84 will be way over, two more to come in for this year that goes under that line item; discuss this at the Spring budget.

Trustee Sharrow: Referred to the loans Township has out there, General Fund taking up the slack of these loans under special assessment; Township needs to think of ways to finance some of these loans w/o going to the General Fund; anticipate request to expand Bond cash flow for certain areas on the Island; do not think Township should loan money for 10 years for dredging, 1-3 years more appropriate, need to watch our cash flow.

Moved by Turner, supported by Pellerito, to approve Harsens Island Fire Department purchasing 750' of 5" hose from Burtchville Township Fire Department in the amount of \$1,500.00. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Sharrow, supported by Kirkpatrick to send a letter to Michigan Township Association supporting the HB 4022 that will give Township Officials support to have input on speed limits within their Township. AYES: All. NAYS: None.

MOTION CARRIED.

BOARD MEMBER COMMENTS:

Trustee Dr. Kasperowicz: Cancer very high in this area; crucial the water intakes are checked; what is being pumped into the St. Clair River? Need to look at what is in the water.

Trustee Cindy Kirkpatrick: Water pipe on Island, 2-year warranty is not enough.

PUBLIC COMMENTS:

Norman Rhodes, 3206 S. Channel: Questioned if the Township Board is informed of what is going on in the easement lawsuits?

Supervisor Joseph H. McKoan IV: They have the ability to talk to our attorney, Hearings are attended by the Attorney who is the Township's Representative.

Norman Rhodes: Questioned legal expenses budget for 2002, won't cover the expenses for all the lawsuits; article in Public packet referring to trespassing.

Nelson Templeton, 2590 S. Channel: How long is the pipe good for?

Clerk Pellerito: 1,000' of pipe may have problems, welds may let loose, testing the line under pressure for 48 hours, 20 welds in question.

Dale Sterling, 9427 Island Drive: Problem with the ditches draining.

Clerk Pellerito: Meeting with Drain Commissioner tomorrow and will definitely have it mentioned; water not draining properly off of Island and Fruit; need to create a new County drain; noted the procedure to initiate a new drain.

Robert Peterson, Algonac High School Student: Asked Trustee Dr. Kasperowicz to explain the water pollution and is it in the fish we eat?

Trustee Dr. Kasperowicz: Dumping into the St. Clair River, trying to find out what they are pushing out in Chemical Valley.

ADJOURNMENT:

Moved by Turner, supported by Kirkpatrick, to adjourn the regular meeting at 8:55 p.m.
AYES: All. NAYS: None. ABSENT: None.



Michael Pellerito
Clay Township Clerk

MPP/vk