

Minutes of the Clay Township Board Meeting held on Monday, April 15, 2002 at 7:30 p.m. in the Harsens Island Lion's Hall, 263 LaCroix Road, Harsens Island, 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 20 people.

#### **AMENDMENTS TO THE AGENDA:**

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to amend the agenda under Old Business add Item #3. Additional cost to Kelley & Sons Heating and Cooling, Inc. for the Twp. Bldg. furnace; and under New Business add Item #25. Resignation from Karen Missage, Zoning & Planning Adm. AYES: All. NAYS: None. ABSENT: None.

#### **APPROVAL OF MINUTES AND SYNOPSIS:**

Moved by Turner, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the April 1, 2002 Minutes and Synopsis with a change on Page 2, 2<sup>nd</sup> paragraph from the bottom: Hydrant Maintenance should read \$35.00, a \$-7,490.00 difference. AYES: All. NAYS: None. ABSENT: None.

#### **BILLS PAYABLE:**

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the Bills Payable in the amount of \$110,095.37. AYES: All. NAYS: None. ABSENT: None.

**PETITIONS:** None.

#### **COMMUNICATIONS:**

Notice of Public Hearing, Clay Township Planning Commission: Subject: Proposed Zoning Ordinance Update; Date & Location: April 24, 2002, Algonac High School Auditorium, 7:30 p.m.

Last Day of Registration School Election: Monday, May 13, 2002 is last day to register for the School Election called to be held on Monday, June 10, 2002.

4-9-2002 Algonac/Clay Township Historical Society will not have the Tugboat Theodore Too visiting our port on August 8, 2002, thank you for all your cooperation in our community events/history.

Letter from Sandra M. Glover regarding genealogy research, Oaklawn Cemetery info needs to be updated, it has been 20 years.

Letter from Tim and Judy Gable to the ML Fire Department for their efforts in the attempt to save their son's life on Feb. 3<sup>rd</sup>.

04-2-02 Letter from Lou Ann Booker, Spare Parts Car Club requesting use of the Board Room for a meeting on Saturday, May 18, 2002 at 7:30 p.m.

04-04-2002 Thank you from Algonac K of C for allowing the Annual Tootsie Roll/Mental Retardation Drive to take place in Clay Township on March 22<sup>nd</sup>, 23<sup>rd</sup> & 24<sup>th</sup>.

04-8-2002 Letter from County Drain Commissioner Fred Fuller regarding the Dana Drain.

04-5-02 Letter from State Representative Daniel DeGrow to the Environmental Quality indicating his support in the efforts of the Clay DDA for a Coastal Waterline Grant.

04-12-2002 Letter from Tony and Louise Frances regarding the ditching on LaCroix Road, asking the Township to whatever they can do to help your problem.

**OLD BUSINESS:**

Contract negotiation update: Draft for the Command Contract was ready, upon reviewing there were some additions and omissions, will be reviewed by the Union Rep.

Whittlesey Development, Limited President Steven Whittlesey was present to answer any questions regarding his company's service in the expansion of the Township Offices, defined the four (4) Phases from Preliminary Site Assessment to the Pre-Construction/Construction of the project,

Comments by Board:

Trustee Dr. Kasperowicz: Building Inspector within the Township that can do the inspections.

Supervisor McKoan: Who is going to prepare the bid package, coordinate the work, etc.

Trustee Dr. Kasperowicz: Do not need someone to oversee, why be paying double.

Trustee Kirkpatrick: Agree with Dr. Kasperowicz's reasoning.

Trustee Sharrow: Commercial piece of property, not a house dealing with.

Supervisor McKoan: Believe we do need a coordinator, Mke Kras cannot do it himself.

Need to do Phase I through III to get to the construction state.

Motion by Dr. Kasperowicz, supported by Kirkpatrick to approve hiring Whittlesey Development, Limited to prepare the architectural and engineering plans for the expansion of the Township Offices: Phase #1 – Preliminary Site Assessment, Phase #2 – Preliminary Design Work and Phase #3 – Detailed Design Work for a total cost of \$15,000. AYES: All. NAYS: None. ABSENT: None.

**MOTION CARRIED.**

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to approve the additional cost of \$715.00 to Kelley & Sons Heating and Cooling, Inc. to complete the installation of a new furnace in the Township Office Building. AYES: All. NAYS: None. ABSENT: None.

**PUBLIC COMMENTS:** Relating to any New Business on the Agenda.

Supervisor Joseph H. McKoan IV introduced Eagle Scout Ricky Fisher who just completed and installed three (3) park benches on the State Park Bike Path. The Board commended him on the excellent job he did and he was given a round of applause for the project. Also Ricky asked for the Township to help pay for those improvements, a bill for \$22.00.

Douglas R. Alexander, Executive Director for Economic Development Alliance of St. Clair County: Present this evening to ask for the Township's support to establish an Industrial Development District and Plant Rehabilitation District, gave a brief synopsis of how the EDA assists the small business owner. Explained this is the 1<sup>st</sup> step process under P.A. 198-1974 for local unit of government to grant a property tax abatement to industry that wishes to expand their business. Mr. Decker has purchased property at 2192 Fruit Road, he would like to take that building and add an expansion on it. Mr. Alexander explained the process, maximum amount of years for tax abatement for the building and personal property, establishing the geographic boundaries and step two the consideration to grant the tax abatement to Mr. Decker.

Trustee Dr. Kasperowicz: Questioned employment, how much tax base would the Twp. lose?

Norman Rhodes, Harsens Island: Against development districts such as the DDA, we don't want to increase upon the backs of the residential taxpayers, tax exemptions and

still needs to be paid, an increased taxed base, unfair and unjust to the residential taxpayers.

Ray Hotchkiss: Is there anymore losses that the taxpayer would lose?

Mr. Decker: Explained what his business does.

**NEW BUSINESS:**

Moved by Trustee Dr. Kasperowicz, supported by Trustee Engel to adopt a Resolution to establish an Industrial Development District within Clay Township and set the date for the public hearing for Monday, May 6, 2002 at 6:30 p.m. in the Clay Township Board Room, 4710 Pte. Tremble Road, Clay Township, MI 48001.

R/C VOTE: AYES: Sharrow, Turner, Pellerito, Dr. Kasperowicz, Engel, McKoan IV.  
NAYS: None. ABSENT: None.

Motion by Trustee Dr. Kasperowicz to adopt a Resolution to establish a Plant Rehabilitation District.

**MOTION DIED FOR NO SUPPORT.**

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to adopt Resolution No. 1 Lazy Lane Road Maintenance to establish a Special Assessment to do road maintenance inclusive of grading and graveling for Lazy Lane Road, Lots 2 through 6, Lots 13 through 16, and part of Lots 77 through 134 inclusive of Joe Bedore Syndicate Subdivision of Lots 461, part of Lots 462, and 464 South Channel, St. Clair Flats, Harsens Island, Township of Clay, St. Clair County, Michigan and set the Public Hearing for Monday, June 17, 2002 at 7:00 p.m. in the Lions Hall, 263 LaCroix Road, Harsens Island, MI 48028.

R/C VOTE: AYES: Sharrow, Kirkpatrick, Turner, Pellerito, Dr. Kasperowicz, Engel, McKoan IV. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to approve Lot Split #02-03 for 6455 Dyke Road, Douglas Potthoff for an adjustment of a property line.  
AYES: All. NAYS: None. ABSENT: None.

The St. Clair County Board of Commissioners and the Office of Emergency Management will be holding the 7<sup>th</sup> annual Emergency Services Breakfast at 7:30 a.m. to 9:45 a.m. Please inform the Twp. Clerk's Office if interested in attending.

St. Clair County Road Commissioners amended their policy for maintaining private roads. The road commission will no longer enter into agreements for maintenance of private roads, all current agreements in place are to be phased out within the next five years. The current agreement in place for maintaining Venice Court and Schnickenberger on Harsens Island in Clay Township will no longer be honored after October 16, 2006.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to set the Summer Recycling Hours for the Recycling Yard, 9625 Ainsworth Road. AYES: All. NAYS: None. ABSENT: None.

Assistant Police Chief Don Drake presented an update of the 1<sup>st</sup> Central Dispatch Organization meeting held on 3-29-02; basically discussed how many members would be on it, still unorganized, no idea where the funding coming from.

Moved by Trustee Dr. Kasperowicz, supported by Trustee Cindy Kirkpatrick, **MOTION CARRIED**, to reappoint Harsens Island Fire Chief Bruce Schweikart to the River District Ambulance Authority for another two-year term as the Representative for Clay Township. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to accept the resignation of Brian Potter on the Downtown Development Authority due to health problems. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to accept the Department March Reports for Assessor, Building, Zoning, Dangerous Building Planning and Code Enforcement, Harsens Island Fire Department and the minutes of Jan. 29, 2002 Township Roads and Bridges Advisory Committee of S.C.C.R.C. as submitted. AYES: All. NAYS: None. ABSENT: None.

St. Clair County Board of Road Commissioners studying amendments to its current Haul Route Policy; Board members agree with the updated version, Planning Commission reviewed and feel it does not conflict with the Zoning Ordinance.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to start the regular meeting at 6:30 p.m. on Monday, May 6, 2002, first two items on the Agenda will be the Public Hearing for the Industrial Development District followed with the Renewal of the Soil Removal Permits.

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

Moved by Pellerito, supported by Engel, **MOTION CARRIED**, to set the first Budget Workshop to review the 2002-2003 for Monday, May 13, 2002 at 5:30 p.m. in the Clay Township Board Room, 4710 Pte. Tremble Road, Clay Township. AYES: All. NAYS: None. ABSENT: None.

Trustee Sharrow requested from Treasurer Turner before the budget workshop a list of amounts due to the General Fund, Special Assessment balances and how long before paid off and fund balances for each department.

Moved by Kirkpatrick, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the Mainland Fire Chief Rick Edler's recommendation to send Aaron Paul Eckhout for his physical and providing all the tests are passed will start him as a trainee in May 2002. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to adopt the Proclamation declaring Arson Awareness Week 2002 in Clay Township from May 5-11, 2002. AYES: All. NAYS: None. ABSENT: None.

Clerk Pellerito informed the Board Nextel Services is offering a governmental rate to put the Township on line for a cost of \$38 and change, Water Dept. personnel will pay \$20.00 a month through payroll deduction.

Moved by Pellerito, supported by Kirkpatrick, **MOTION CARRIED**, to approve the 2-way radio offer from Nextel Services at the governmental rate of \$38.00 to \$40.00 a month for the Water Department, associates will pay \$20.00 a month through payroll deduction towards the bill. The same rate will be offered to other Department heads to bring Clay Township online. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Engel, **MOTION CARRIED**, to approve the purchase of the twelve (12) SCOTT AV2000 facemasks from Fire Suppression Systems in the amount of \$189.00 each for a total of \$2,268.00 for the Harsens Island Fire Department. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the \$703.00 to the Apollo Fire Equipment Co. for training in using the SCBA fit testing for the Harsens Island Firefighters in the use of Self Contained Breathing Apparatus. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve reimbursing \$52.95 to Harsens Island Fire Department Firefighter Peter Nelezyty for the damaged computer power supply as a result of a power surge on March 15, 2002. AYES: All. NAYS: None. ABSENT: None

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to pay the cost of furnace repairs performed on 3-25-2002 due to a power surge occurred on March 15,

2002, Flame Furnace Company performed the needed repairs in the amount of \$789.20 for the Harsens Island Fire Department. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to accept the estimated cost of \$28,962 and agreement from St. Clair Road Commission for the Proposed 2002 Local Road Hot Mix Asphalt Projects for Bayview Shores, Farnsworth and Phillips from Anchor Bay Drive to the end. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to renew the Mainland Fire Department maintenance contract with Air Source One, Inc. "Breathing Air Specialists" for the annual cost of \$715.00. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to renew the annual maintenance agreement with DSS Corporation for the Dual Deck 4 Channel Recorder in the Township Board Room in the amount of \$125.00. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to accept the resignation from Planning and Zoning Administrator Karen Missavage and to begin looking for a replacement through web sites, advertise in the newspaper, etc. AYES: All. NAYS: None. ABSENT: None.

#### **BOARD MEMBER COMMENTS:**

Supervisor Joseph H. McKoan IV: Harsens Island Water Project update: Continuing on over at McDonald Island and Green, BMG tested up to San Souci; two weeks loop finishing Section 1 May, Section 2 middle of June.

Water Dept. Supervisor Jon DeBoyer: Update on the Water Project, moving real well, pressure testing, etc.

Supervisor McKoan IV: Water complaints.

Trustee Dr. Kasperowicz: Complimented the Board, Water Dept., Eng. anyone involved in the water project on the Island, if this project saves the life of someone from the risk of hepatitis, we have done something significant.

Trustee Kirkpatrick: Any update from let. Written re: AT & T and Comcast merge?

#### **PUBLIC COMMENTS:**

Karen Beattie: Owns lot on Orchid, needs ditching done, St. Clair County Road Commission should pay the costs for it.

Clerk Pellerito: Don DeSnyder talked to Milton Osborn per proposal, work order to do the ditching is on the back burner.

Karen Beattie: County should pick up the cost, not something property owner should pay, when will it be on the Agenda?

Ray Hotchkiss: Questioned why is the water line next to the gas line at 120 Petoskey? What was the estimated cost for the project for the waterline? Knowledgeable source has quoted it is costing past \$10 million.

Clerk Michael Pellerito: If water project were over 6.4 million dollars, it would not be paid.

Ray Hotchkiss: Where is your jurisdiction of patent for this land?

Supervisor Joseph McKoan IV: Something you should address the Federal and Senate.

Norman Rhodes, Harsens Island: Transportation Authority could we get their reports included in the Department Reports?

Supervisor Joseph McKoan IV: If we wer supplied the H.I.T.A. minutes, we would include them., we can request them from the H.I.T.A.

Norman Rhodes: Has there been a directive to have the Police Department personally contact certain targeted industry in the water Project?

Answer: No.

**ADJOURNMENT:**

Moved by Kirkpatrick, supported by Dr. Kasperowicz, **MOTION CARRIED**, to adjourn the meeting at 8:50 p.m. AYES: All. NAYS: None. ABSENT: Non.e

Michael P. Pellerito  
Clay Township Clerk