

Minutes of the Clay Township Board Meeting held on Monday, June 7, 2004 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 Beth Engel, Trustee Dr. L. Kasperowicz.

ABSENT: None.

Citizens present: Approximately fifteen (15).

**AMENDMENTS TO THE AGENDA:**

Moved by Dr. Kasperowicz, supported by Pellerito, **MOTION CARRIED**, to amend the agenda under New Business, Item #15. Discussion regarding the hiring of a local engineer. AYES: All. NAYS: None. ABSENT: None.

**APPROVAL OF THE 5-17-04 MINUTES AND SYNOPSIS:**

Moved by Kirkpatrick, supported by Sharrow, **MOTION CARRIED**, to approve the May 17, 2004 Minutes and Synopsis with one correction on page 4, 4<sup>th</sup> motion down regarding the Building Adm. Official Michael Kras authorization to attend the Advance Training Academy should have a vote designated. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Pellerito, **MOTION CARRIED**, to approve the Harsens Island Informal Meeting Minutes of May 24, 2004. 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 \$112,238.37. AYES: All. NAYS: None. ABSENT: None.

**PETITIONS:** None.

**COMMUNICATIONS:**

05-21-04 Letter from Mrs. Jackie Senkmajer regarding the recent wheelchair accident on Fruit Road, need to look at paved shoulders along Fruit Road, this road is used frequently as an alternative way to travel to the City of Algonac, need to make it safer for all.

Notice of Clay Township Clean-Up June 25<sup>th</sup> and June 26<sup>th</sup> from 8:00 am to 4:00 pm, locations Browns Field, Harsens Island and ML DPW Ainsworth Road.

Household Hazardous Waste Clean-Up, June 26<sup>th</sup>, 8:00 am to 4:00 pm, ML Fire Dept. parking lot, call Environmental Services Dept. at 810-367-3061 for an appointment.

May 14, 2004 Letter from Dickinson Island Krispen Road Association requesting the St. Clair County Road Commission consider abandoning the end of Krispen Road and allow the Assoc. to take over the care and maintenance.

May 25, 2004 Memo from Comcast, Area Director, Corporate Affairs informing the Supervisor effective June 1, 2004 changes will be made to installation charges in this area.

Letter from the U.S. Dept. of Homeland Security, Washington, DC appreciate your Township passing the Homeland Security Resolutions.

May 2004 Memo from Environmental Health Director re: Increase the awareness of the West Nile Virus through a public education campaign.

**CLAY TOWNSHIP BOARD MEETING – JUNE 7, 2004**

Page 2

Notice of a Budget Workshop Meeting of the Clay Township Board of Trustees on Monday, June 14, 2004 at 5:00 p.m., Clay Township Board Room.

Notice of Regular Election of the Electors of Algonac Community Schools, St. Clair County, Michigan to be held June 14, 2004 from 7:00 a.m. to 8:00 p.m.

Public Hearing for renewal of Private Road - Lake Drive Road Repair and Maintenance Special Assessment District.

Supervisor Joseph H. McKoan IV opened the public hearing to hear comments regarding the special assessment roll prepared for the purpose of road repair and maintenance. The roll to be confirmed during the regular meeting with the adoption of Resolution #4.

Public comments expressed regarding the roll allow you to appeal to the Michigan Tax Tribunal. Clerk for the record had not received any letters in response to the roll.

No public comments were made.

Moved by Sharrow, supported by Engel, **MOTION CARRIED**, to close the public hearing for the Lake Drive Special Assessment District. AYES: All. NAYS: None. ABSENT: None.

**OLD BUSINESS:**

Contract Negotiations: No updates to report.

Moved by Turner, supported by Dr. Kasperowicz, **MOTION CARRIED**, to go into an executive session at 7:55 p.m. with Township Attorney John McNamee to discuss Stone vs. Clay Township. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Turner, **MOTION CARRIED**, to reconvene the regular meeting at 8:20 p.m. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to instruct the Township Attorney John McNamee to appeal the Circuit Court decision concerning Stone vs. Clay Township. R/C VOTE: AYES: Sharrow, Turner, Engel, Dr. Kasperowicz, Pellerito, McKoan IV. NAYS: Kirkpatrick. ABSENT: None.

Moved by Pellerito, supported by Turner, **MOTION CARRIED**, to pay Kessler Tank in the amount of \$104,060.00 for Application No. 3 for the Colony Tower Project Renovation. AYES: All. NAYS: None. ABSENT: None.

Dr. Dennis Guiser, Superintendent of Algonac School District: The Algonac Rotary Club has received a \$5,000 grant from the St. Clair County Community Foundation that will pay for engineering for a nature center near Algonac Middle School to become part of the Clay Township trail system and the County Bridge-To-Bay trail. Center will have a pond, an outdoor classroom, benches, a classroom learning area with paths, bridge, small island where birds and ducks can grow in the environment. State of Michigan has grant money available for such projects; next step would be the submitting the plans and the application. Project between Algonac Schools, Algonac/Clay Rotary Club and Clay Township. Cost could be \$50,000 to \$100,000, match money funds, may ask the Township for some labor help, make you aware of the project and apprised of where we are.

Motion by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to hold a special meeting for the purpose of a public hearing at 7:00 p.m. on Monday, June 21, 2004 before the regular Township Board meeting for the purpose of taking comments about the annual 2004-2005 budget. AYES: All. NAYS: None. ABSENT: None.

**CLAY TOWNSHIP BOARD MEETING – JUNE 7, 2004**

Page 3

Motion by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to adopt Resolution No. 4 Private Road-Lake Drive Road Repair and Maintenance Special Assessment District confirming the roll for Lake Drive, fronting on Lots 908 through 959 inclusive of the Roy T. Gilberts Plat #12, Township of Clay, St. Clair County, cost to be \$10,050.45, cost of \$2,010.09 to be spread each year over a five-year period, cost per parcel of \$1.00 per front foot per year. This dollar amount will be placed on the December tax bill without interest.

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

Moved by Turner, supported by Kirkpatrick, to adopt the Resolution setting the Township Board of Trustees Meeting Schedule Dates for 2004-2005 with the amendment to the schedule to have an organizational meeting on Sunday, November 21, 2004 at 7:30 p.m. R/C VOTE: AYES: Sharrow, Engel, Kirkpatrick. NAYS: Turner, Pellerito, Dr. Kasperowicz, McKoan IV. **MOTION FAILED.**

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to adopt the Resolution setting the 2004-2005 Board Meeting Schedule as presented. R/C VOTE: Sharrow, Kirkpatrick, Turner, Engel, Dr. Kasperowicz, Pellerito, McKoan IV. NAYS: None. ABSENT: None.

Moved by Turner, supported by Engel, **MOTION CARRIED**, to pay the \$100.00 Annual Membership fee to the Greater Algonac Chamber of Commerce. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Kirkpatrick, **MOTION CARRIED**, to set the date of June 12, 2004 for the Annual Police Auction to be held at the Department of Public Works, 9625 Ainsworth Road, starting at 9:00 A.M. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Kirkpatrick, **MOTION CARRIED**, to have the Building Department pay the Police Department \$2,000 for the retired vehicle. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to receive and file the monthly Board of County Road Commissioner's May 4, 2004 Minutes and the April, 2004 Police Department Report as submitted. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to allow the Moslem Shriners to conduct the Moslem Shriners' Annual Hospital Fund Drive to benefit Shriners Hospitals for Children within Clay Township on Thursday, Friday and Saturday, June 10, 11 and 12, 2004 and excuse the peddler fee. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, to pay the Michigan Township's Association Annual dues covering 07/01/2004 through 06/30/2005 in the amount of \$5,049.52.

Amend the motion by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to pay the Michigan Township's Association Annual dues of \$4,763.70 and breakdown the Voluntary legal defense fund contribution of \$285.82. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Sharrow, **MOTION CARRIED**, to approve paying the St. Clair County IT Department in the amount of \$2,378.42 to bring the Clay Police Department Internet on line with the County. AYES: All. NAYS: None. ABSENT: None.

**CLAY TOWNSHIP BOARD MEETING – JUNE 7 2004**

Page 4

Downriver Recreation Commission will hold a focus group meeting on Saturday, June 26, 2004 in the Algonac Board of Education Community Room to hear citizen input to our Master Plan preparation process, no action is necessary.

Moved by Kirkpatrick, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve Lot Split 04-03, 6750 Swartout Road owned by Kenneth Bollin. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to approve paying the 2004 MS4 Storm Water Discharge Permit Fee of \$2,000.00 through the DEQ Water Resources Protection of the Natural Resources and Environmental Protection Act 1994 PA 451, as amended (NREPA). AYES: All. NAYS: None. ABSENT: None.

Discussion regarding engineering contract through a local engineer John Monte. Clerk Pellerito: For the record, have not had an engineering company under contract, BMJ was used due to their familiarity with the area, contacted local engineer to see what he can work out with Harsens Island waterline extension, prefer not to enter into a contract for service but have the freedom to hire one. Agree should stay local and help our own community.

**BOARD MEMBER COMMENTS:**

Trustee Cindy Kirkpatrick: Paul Paulus property on Pte. Tremble Road, anything solved?

Trustee Pat Sharrow: Possible the re-zoning designation was done in error on the map, Planning Commission is reviewing a list of things we will be working on.

Trustee Kirkpatrick: Island School closing, any truth to that?

Barb Persyn, 3455 Green Drive, Harsens Island: Fact finding mission and not true.

Trustee Dr. Kasperowicz: According to paperwork, need some clarification on DNR Deed restrictions, flood plains, etc.

Clerk Pellerito: Not a recognized document from this community, Twp. does not handle deed restrictions.

Trustee Cindy Kirkpatrick: Commend the Township Police and Fire Department on the excellent job they did last week during the offshore boat races.

Clerk Pellerito: Waste Water Treatment Plant is up and running, \$10,000 left to the good, future projects, roof needed on the other buildings, budgetary item coming year. Ambulance Authority status: shortfall 2005 budget year, County has to make some cuts to make the budget work, Adhoc committee was formed to explore revenue sources available.

Central Dispatch update: Attended a meeting regarding the Central Dispatch and made it clear Clay Township interested in being part of the 800 mega hertz system update throughout the County, but do not want to lose our ability to dispatch, FEMA and Homeland Security grant monies available, resolutions and letters of support directed to State and County Officials will benefit St. Clair County.

Trustee Sharrow: Two-part salary for Township Officials, copies of MTA Resolutions for Board members to review, decide at a later time if this is the way to go.

**CLAY TOWNSHIP BOARD METING – JUNE 7, 2004**

Page 5

**PUBLIC COMMENTS:**

Whitey Simon, Harsens Island: Colony Tower looks good; any progress on the Harsens Island bike path; transmission through Channel 6 is of poor quality, some Board members are not close enough to the microphones; any thought of a portable recording system that would allow at least two (2) meetings a year on the Island.

County Commissioner Pamela Wall: Proclamation and a Plaque to Clay Township Firefighter John Papiez for Fire Officer of the Year as chosen by the Fire Fighter's Association, congratulations to John, the Board and the Department!

Soil Erosion Sedimentation Control update: Public Hearing next Monday on the new fee schedule, stated the changes, zero charge for up to 1,000 sq. ft., good resolve to the problem.

Trustee Dr. Kasperowicz: Object to commercial property's fee.

County-Wide Dispatch Authority: Very close to completion, understand Clay's position, committed to seeing whatever monies will go into the county-wide system to benefit all the players, concur with letters and resolutions to support our effort in Federal assistance.

Cindy Babisz, Downriver Recreation Commission Director: Thank you to the Board for the positive comments in support received from this Board at the Joint Meeting. Recreation programs will start tracking them according to age bracket, report starting next meeting.

Rocco Prinzivalli, Sr., North River Road: Comment regarding sailboat used on our logo, powerboat capital of the world.

Action Auto Parts and violations regarding site plan, signs, several permit violations, etc. Supervisor McKoan IV: Alleged violations, aware of your accusations against your neighbor.

Rocco Prinzivalli, Sr.: We got to get this resolved, will go into litigation if I have to.

**ADJOURNMENT:**

Moved by Kirkpatrick, supported by Sharrow, **MOTION CARRIED**, to adjourn at 9:20 p.m. AYES: All. NAYS: None. ABSENT: None.

Michael P. Pellerito  
Clay Township Clerk