

Minutes of the Clay Township Board meeting held on Monday, August 16, 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. Leonard Kasperowicz.

ABSENT: None.

Citizens present: Twenty.

AMENDMENTS TO THE AGENDA:

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the amendments to the Agenda under New Business, #12. Request from Cherry Beach Senior Center for Township Contribution, #13. Bronze Plaque for Colony Tower.

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

APPROVAL OF AUGUST 2, 2004 MNS. &SYNOPSIS AND PUBLIC HEARINGS:

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to approve the August 2, 2004 Minutes and Synopsis and the Truth and Taxation Public Hearing with the following amendments to the 8-2-04 Minutes:

- Page 3, correct the spelling of Stewart
- Page 7, New Business, 1st paragraph, 7th sentence down: change day to "Monday".

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

Moved by Turner, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the August 9, 2004 Special Meeting regarding the Harsens Island Waterline with one change, the minutes should state it was a "Special Meeting of the Clay Township Board".

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

BILLS PAYABLE:

Moved by Turner, supported by Engel, to approve the Bills payable in the amount of \$185,171.01.

Clerk Pellerito: The MMRMA bill is included, can pay now or wait until later in the agenda.

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

MOTION APPROVED.

PETITIONS: None.

COMMUNICATIONS:

Township Offices will be closed Monday, September 6th for the Labor Day Holiday, resume regular office hours on Tuesday, September 7, 2004, Township Board meeting will be on Tuesday, September 7, 2004 at 7:30 p.m.

St. Clair County Board of Commissioners will hold a regular meeting in the Clay Township Meeting Hall on Wednesday, August 25, 2004.

ML Fire Department will hold a Poker Run on 9-11-04, proceeds to the equipment fund, contact Chief Rick Edler for tickets.

Rotary Club and Police Department sponsoring telephone cards for our service people overseas, donations or prepaid international phone cards are appreciated.

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OLD BUSINESS:

Contract negotiation update: Scheduled to meet with Command, postponed a week.

Department of Public Works tentative agreement with some changes: prescription, language of 45 day absence for the duration of benefit time, % of increases 2-3-4-5% based on the merit system, .05 cent an hour increase for obtaining license certification, MERS B-3 upgrade; page 24, Schedule “A” wages not agreed upon at this point of time, 3% from the starting wages from the 2001 contract be put in place.

Discussion followed regarding wages for DPW personnel.

Trustee Kirkpatrick: Comparison of wages for similar jobs, inadequate wages.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to accept the Department of public works three-year contract from July 1, 2004 – June 30, 2007 with a 3% increase to the starting wages for new hires.

R/C VOTE: AYES: Sharrow, Turner, Engel, Dr. Kasperowicz, Pellerito, McKoan IV.

NAYS: Kirkpatrick. ABSENT: None.

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to adopt the Ordinance No. 123-08 amending the Zoning Ordinance to change the zoning for property as described presently zoned as RS1 – Residential Suburban to R-1 One Family Residential (74-14-052-0025-100, Map W00216B2 being portion of land w/i parcel currently zoned R1 North to a point 50’ north of the south line of W00252H on the west property line and between lots 211 and 212 on the east property line. Depth of property being rezoned will be approximately 1915.44 on west property line and 1655.44 on east property line), effective upon publication August 25, 2004.

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

Board discussion as to holding the special election on October 4th vs. the General Election.

Moved by Pellerito, supported by Sharrow, **MOTION CARRIED**, to hold a Special Election on Monday, October 4, 2004.

AYES: Sharrow, Turner, Engel, Dr. Kasperowicz, Pellerito. NAYS: Kirkpatrick McKoan IV. NAYS: None.

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

NEW BUSINESS:

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to receive and file the July Assessor’s Report, Building, Planning, Zoning & Code Enforcement and Downriver Recreation Commission paperwork as submitted. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to adopt Resolution No. 1 for Waterline District #7E Green Drive/Remaining St. Clair Avenue and Bar Harbor establishing a Special Meeting of the Township Board for the purpose of a Public Hearing at the Harsens Island Lion’s Club, 263 LaCroix Road, Harsens Island, Michigan on August 30th at 7:00 p.m. for the purpose to hear comments for or against proceeding with the project.

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

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Moved by Kirkpatrick, supported by Pellerito, **MOTION CARRIED**, to accept the Web Development Agreement from Shannon Wilson for the term of eighteen (18) months with respect to the creation of a web site for public use to the community of Clay Township. R/C VOTE: AYES: Sharrow, Kirkpatrick, Turner, Engel, Dr. Kasperowicz, Pellerito, McKoan IV. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Turner, **MOTION CARRIED**, to adopt the Resolution requesting the County to call the entire outstanding principal amount of the St. Clair County Water Supply System No. II-A Bonds, Series 1992 for redemption on October 1, 2004.

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

Township Insurance Policy discussion: Ibex Insurance renewal increases 10-25%, did not go out for bids this year, recommend look into new bids next year.

Moved by Kirkpatrick, supported by Sharrow, **MOTION CARRIED**, to accept the renewal premium of the insurance coverage for the Township with Michigan Municipal Risk Management Authority for the period July 1, 2004 to July 1, 2005. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to approve Lot Split 04-05 for vacant Fruit Road property owned by Norma Halkias. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Engel, **MOTION CARRIED**, to postpone a joint meeting with the City of Algonac for the purpose of discussing the water rates and a presentation on a pilot study until after the new Township Board takes office on November 20, 2004. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to approve the letter to Donald Maronde, St. Clair County Road Commission from Clay Township in support of Cottrellville Township applying for the 2005 local road funding for the paving of Genaw Road and Clay Township will commit to any ditching requirements on the south side of Genaw Road. AYES: All. NAYS: None. ABSENT: None.

Clerk Pellerito: Township to apply for the grant money as is available through the County, direction from the Board if should apply for the grant for Swartout and Folkert Road, Board concurs.

Moved by Pellerito, supported by Kirkpatrick, **MOTION CARRIED**, to accept the St. Clair County Road Commission bid for \$6,500.00 to replace the crossroad culvert on Ainsworth between M-29 and Taft Road. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Engel, **MOTION CARRIED**, to provide the Township Hall facility for the dates of September 11, 18, 25, 2004 from 8:00 AM to 1:00 PM for an electrical certification seminar to be conducted by Forest L. Chaney for electrical journeyman, masters, fire alarm specialty technicians and sign specialists. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to allow Clay Township Building Official Michael Kras to attend the Building Official Continuing Education Conference in Crystal Mountain, Michigan on September 14 through September 17th for a cost of \$220.00 for the 2004 Fall Conference Fee and \$625.00 for the two bedroom condo plus the cost for meals and transportation or use of the township vehicle. AYES: All. NAYS: None. ABSENT: None.

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Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to approve \$1,000.00 contribution to the Cherry Beach Senior Center from the 2004-2005 Budget. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Dr. Kasperowicz, to approve the purchase of the bronze plaque in the amount of \$895.00 from Jones Monument Company representing the Colony tower Restoration.

Discussion: Trustee Sharrow: Concerned if the mounting of the plaque would affect the historical designation of the Colony Tower.

Amend the motion by Kirkpatrick, supported by Dr. Kasperowicz, to direct Supervisor Joseph H. McKoan IV to make an inquiry whether a plaque on the Tower will interfere with the historical value.

VOTE ON THE MOTION: AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

BOARD MEMBER COMMENTS:

Supervisor Joseph H. McKoan IV announced he just got engaged.

Trustee Kirkpatrick: Congratulations to Jon Manos on winning the Primary.

Trustee Dr. Kasperowicz: Eighteen (18) month billing process for property taxes, write your Legislatures to not support Senate Bill 1111 & 1112.

PUBLIC COMMENTS:

Rocco Prinzivalli, Sr., North River road, Clay Township: Phone call received after last meeting re: interrupting Mr. McKoan IV during the meeting; Veteran in two wars, believe in freedom to speak.

Harry Mikolowski: Thank you to all the people that attended the Court hearing on Soil Erosion, referred to the bureaucracy that is getting bigger, it is out of hand, people charged for a permit that were less than 2,000' can now get money back, how many more rules will be changed, Island feeling the brunt, need to put a "stop & cease" order on this, want it in a matter we can live with, sit down and make guidelines and have a better community and we can all live with it.

Trustee Dr. Kasperowicz: FEMA and Soil Erosion and surface runoff, all schemes for the government to get money off of us.

Harry Mikowlowski: Total extortion by our Government, permit system, this Board has the power to do something, go through the Building Department to see if a permit is necessary, money should be put to a better use.

Clerk Pellerito: Revenue driven through the permits, dog chasing its tail.

Norman Rhodes, Harsens Island: Agree with Harry Mikolowski, permits are issued as an administrative referendum, rights have been removed, written for the benefit of those that wrote it, have to come together and support Harry and the other cases, a way this Board can circumvent, revenue and control starts here, DEQ should stay away, Board can do something to speak for the people, pass a resolution or statement to keep the DEQ away.

Harry Mikowlowski: Property rights are being violated, last hope of freedom, we are throwing our freedom away.

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Nick Sarzynski, Harsens Island: Against the Soil Erosion permits, Senior citizens just trying to take care of property, cannot pay these charges, Township Board needs to make up an information package for the Island residents to pick up.

Jason Jordenson, Pte. Tremble Road: Three important issues is the Board incapable of doing anything, is the Board incited or indifferent, need to know where the Board stands.

Paul Bridgman, Colony Drive: Related an issue where have 18 acres of wetlands, spent money on legal fees, followed the proper procedure and zoning laws, denied by the DEQ, starting over again.

ADJOURNMENT:

Moved by Kirkpatrick, supported by Pellerito, **MOTION CARRIED**, to adjourn the meeting at 9:08 p.m. AYES: All. NAYS: None. ABSENT: None.

Michael P. Pellerito
Township Clerk