

Minutes of the Clay Township Board Meeting held on Monday, October 18, 2004 at 7:30 p.m. in the Clay Township Meeting Hall, 4710 Pte. Tremble Road, Clay Township, Michigan 48001.

PRESENT: Clerk Michael Pellerito, Treasurer Connie Turner, Trustee Pat Sharrow, Trustee Cindy Kirkpatrick, Trustee Beth Engel, Trustee Dr. Kasperowicz.

ABSENT: Supervisor Joseph H. McKoan IV (excused).

Citizens Present: Approximately: Twenty-Five

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to appoint Clerk Michael P. Pellerito as temporary Chair for the meeting. AYES: All. NAYS: None. ABSENT: McKoan IV (excused).

AMENDMENTS TO THE AGENDA:

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to amend the Agenda - Old Business, add Item #3 - Quotes for Mainland Fire Truck and Boat; New Business, Item #12-A. Request from Colony Dr. Association to decorate the Colony Tower for the Holidays. AYES: All. NAYS: None. ABSENT: McKoan IV.

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to add Item #13 under New Business: Discussion of Water Line Tap for Martz Drive, Harsens Island. AYES: All. NAYS: None. ABSENT: McKoan IV.

APPROVAL OF THE 10-04-04 MINUTES & SYNOPSIS & THE SPECIAL MEETING MINUTES OF 09-28-04.

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to approve the October 4, 2004 Minutes with a correction on page 3, 4th paragraph down, change the support from Turner to Engel, Synopsis approved as submitted and the Special Meeting Minutes held September 28, 2004 with the City of Algonac City Council. AYES: All. NAYS: None. ABSENT: McKoan IV.

BILLS PAYABLE:

Moved by Turner, supported by Engel, **MOTION CARRIED**, to approve the Bills Payable in the amount of \$66,244.12. AYES: All. NAYS: None. ABSENT: McKoan IV.

PETITIONS: None.

COMMUNICATIONS:

10-7-04 Thank you to the H.I. Fire Department crew for the presentation. Barbara Baldwin, Harsens Island Garden Club.

10-8-04 Thank you to ML Fire Chief Edler for the Fire Prevention assembly at Millside Elementary from Martha A. Szymanski, Principal.

Halloween "Trick or Treating" hours in Clay Twp. is 5:00 p.m. to 7:00 p.m. on Sunday, 10-31-04.

General Election, November 2, 2004 Notices re: Precinct locations, time polls will open and close, absentee ballots available, Clerk's Office hours for Saturday, 10-30-04, Public Accuracy Test will be held 10-21-04 at 1:00 p.m. in the Twp. Hall.

Downriver Community Services needs you to participate in Algonac's first ever community action team for drug prevention, Thursday October 21, 2004, 4:00 p.m. – 5:00 p.m., meet at Downriver Community Services, 555 St. Clair River Dr., Algonac.

OLD BUSINESS:

Contract update for Building Inspector Adm. Michael Kras: Clerk Pellerito referred to memo to the Board re: clauses he is requesting in his contract.

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Discussion regarding zoning official was hired, job responsibilities were split, need figure earned each year since job split, percent of increase Mr. Kras received last time.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to postpone a decision on Michael Kras' Building Inspector until more information can be brought back as mentioned. AYES: All. NAYS: None. ABSENT: McKoan IV.

Discussion:

Clerk Pellerito: Regarding the memo: MERS is acceptable and a 3-year contract by the Board, compiling of wages since the split for the Board's info.

Treasurer Turner: Merit system put in the contract.

Letter from John/Donna Horvath requesting a reduction in the bond for a Soil Removal Permit.

Board discussion followed.

Moved by Sharrow, supported by Kirkpatrick, to hold a public hearing for the renewal of a soil operation for John & Donna Horvath at 2040 Golf Course Road, Harsens Island as a portion of the regular Township Board Meeting held on November 1, 2004 at 7:30 p.m.

AYES: All. NAYS: None. ABSENT: McKoan IV.

ML Fire Department Truck and Boat Loan: Clerk Pellerito acknowledged the three banks what was their interest rate and payment for the amount of \$206,000.

Moved by Turner, supported by Dr. Kasperowicz, **MOTION CARRIED**, to select Seaway Community Bank as the loan institution to finance the proposal for a New Truck and Boat. AYES: All. NAYS: None. ABSENT: McKoan IV.

Moved by Turner, supported by Dr. Kasperowicz, **MOTION CARRIED**, to set up the loan for a period of 5-years with Seaway Community Bank for the \$206,000 loan. AYES: All. NAYS: ABSENT: McKoan IV.

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

NEW BUSINESS:

CLAY/ALGONAC COMMUNITY FUND PRESENTATION BY MICHAEL HULEWICZ, ROY KLECHA AND RANDY MEIERS.

Mr. Meiers explained the background regarding a community fund, incentive offer to create a new "Clay/Algonac Community Fund", goal is to give money back to the community, i.e. purchase of a fire truck, nonprofit committee corporation to serve St. Clair County, 50% tax credit, endowment fund is an investment in the future.

Public asked questions re: adm. fee, stocks, etc.

Clerk Pellerito: Agree would be a good idea to have the Township involved, would need to research where we could come up with the funding mechanism, cannot use general fund dollars for a contribution, important Twp. input and a seat on the Board would be very important to the Township's stability and growth.

Thank you on behalf of the Township Board for the information.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to adopt Resolution No. 2 designating the Supervisor and Assessing Officer is instructed to prepare a Special Assessment Roll containing the names of the respective owners and a total amount to be assessed against each property owner for Dandron Highway, Private Road - Road Repair and Maintenance, Special Assessment District, Harsens Island. R/C VOTE: AYES: Sharrow, Kirkpatrick, Turner, Engel, Dr. Kasperowicz, Pellerito. NAYS: None. ABSENT: McKoan IV.

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Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to adopt Resolution No. 3, Dandron Hwy. Road Repair and Maintenance Special Assessment District, Harsens Island, Clay Township to set a public hearing for Monday, November 1, 2004 at 7:15 p.m., Clay Township Hall, 4710 Pte. Tremble Road, Clay Township, MI as part of a special meeting prior to the regular meeting for the purpose to review the roll. R/C VOTE: AYES: Sharrow, Kirkpatrick, Engel, Dr. Kasperowicz, Turner, Pellerito. NAYS: None. ABSENT: McKoan IV.

SOUTH CHANNEL FRONT AND REAR RANGE LIGHTS RESTORATION:

Clerk Pellerito update: Quinn Evans & Associates was the lowest bidder, specs were sent to the State Historical Preservation Offices and DEQ for the Coastal Grant Waterfront Initiative Grant, both have concurred Quinn Evans & Associates will be the architect for the projects. Township is acting as a conduit for the S.O.S., received \$450,000 from the Michigan Coastal and a \$20,000 SHPO, match money grants, per the Township Resolution responsible for the funds being paid out. Authorization to award the contract to Quinn Evans.

Moved by Kirkpatrick, supported by Dr. Kasperowicz, **MOTION CARRIED**, to award the Quinn Evans & Associates the contract for the Save Our South Channel Front and Rear Range Light Houses Restoration in Part A: Preparation of Construction documents in the amount of \$28,090.00 and Part B: Bidding and Construction Administration in the amount of \$33,840.00 for a total of \$61,930.00.

AYES: All. NAYS: None. ABSENT: McKoan IV.

Michigan Emerald Ash Borer Project: Significant ash tree death and destruction in Southeast Michigan, State of Michigan introduced a program that would allow affected government counties to have a consistent bid cost by the local tree removers. Program would be voluntary through the local municipality.

Board discussion re: Twp.would act as the conduit between the homeowner and contractor. Consensus of the Board is the Township of Clay not participate.

Moved by Kirkpatrick, supported by Dr. Kasperowicz, **MOTION CARRIED**, not to have the Township participate in the Michigan Emerald Ash Borer Response Project. AYES: All. NAYS: None. ABSENT: McKoan IV.

Algonac Community Center donation for building maintenance discussion: documentation that the donation is used for bldg. maintenance, lateral funds through the DRC, budgeted a line item, accounting of how much of the building was used to service Clay Township residents, agreed to help out for one year, suggest meet with City Treasurer & DRC Chairperson.

Motion by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, the Township Treasurer Connie Turner meet with the City of Algonac Treasurer and DRC Director to try to work out a plan as to how the distribution of \$7,500 for the building maintenance at the Algonac Community Center will occur. AYES: All. NAYS: None. ABSENT: McKoan IV.

Motion by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to receive and file the September 2004 Department Reports for Assessing, Water, Building Department (August & September), Planning, Zoning & Code Enforcement, Downriver Recreation Commission and Board of County Road Commissioners September minutes. AYES: All. NAYS: None. ABSENT: McKoan IV.

Motion by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the Michigan Department of Treasury Application for Renewal of Assessor Certification Level 3 for Clay Township Assessor Barbara Schutt for the sum of \$125.00 and Assistance Assessor Robin Martin, Level 2 for the sum of \$75.00. AYES: All. NAYS: None. ABSENT: McKoan IV.

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Moved by Dr. Kasperowicz, supported by Kirkpatrick, **MOTION CARRIED**, to install a water safety system to monitor the bacteria and chloride residuals at the end of the Harsens Island Water System on State owned land at the end of Bates Highway, Harsens Island by putting in a few posts around to prevent a car from running into it. AYES: All. NAYS: None. ABSENT: McKoan IV.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to accept the Mainland Fire Chief Edler's recommendation to approve Carley A. Rons, to become a trainee and Richard A. Fougne to start as support personnel and eventually a trainee in the department. AYES: All. NAYS: None. ABSENT: McKoan IV.

Moved by Sharrow, supported by Engel, **MOTION CARRIED**, to approve the sum of \$25.00 to renew the 2005 Membership dues to the Algonac/Clay Township Historical Society. AYES: All. NAYS: None. ABSENT: McKoan IV.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to allow the Colony Park Association permission to decorate the Colony Tower for the Christmas Holiday. AYES: All. NAYS: None. ABSENT: McKoan IV.

Motion by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the purchase of a 2005 GMC TC7500 Dump Truck for the Clay Township Water Department from Red Holman Pontiac GMC for a price of \$40,849.00. AYES: All. NAYS: None. ABSENT: McKoan IV.

Motion by Kirkpatrick, supported by Engel, **MOTION CARRIED**, to approve NBC Truck Equipment Inc. quote of \$15,672.00 to equip the 2005 GMC Dump Truck. AYES: All. NAYS: None. ABSENT: McKoan IV.

Motion by Dr. Kasperowicz, supported by Turner, **MOTION CARRIED**, to split the cost of \$600.00 between property owner Joe Bleau, 7000 Martz Drive and Township for Goretzki Excavating to do the directional bore at 7000 Martz Drive to connect the water tap. AYES: All. NAYS: None. ABSENT: McKoan IV.

BOARD MEMBER COMMENTS:

Clerk Pellerito: Plante Moran Auditors presentation on the State of the Township next Board Meeting.

Treasurer Turner: Colony Tower dedication plaque installed.

Trustee Kirkpatrick: Apologized for not being at the last Board Meeting.

PUBLIC COMMENTS:

Linda Lewandowski, 9099 Phelps Road: Read a letter thanking the Board and Building Department for their help and corporation in helping our son procure his permits to build his home. Drain Commissioner Fred Fuller has stopped my son from building on the Phelps Road property and brought in the Federal Corp of Engineers, not on the water, drain has a couple of inches in it and because it may go into the Pearl Beach Drain that may get to the Marsh, he has taken on this property to do whatever he can to stop any building. Son has lost thousands of dollars and not able to bring his modular in there, now we are being told it is wetlands, 33 years have owned this property. Fred Fuller has opened Pandora's box for Algonac, Marine City, Ira and Clay Township. Personal opinion Fred is not doing his job.

Ted Sarns, 8165 S. Channel: If considering increasing density on Harsens Island, needs central sewers.

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PUBLIC COMMENTS (Continued)

Diann Pellerito, 7279 Dyke Road: Comments re: D.R.C. and how to handle the funding with the community center, Cindy Babisz best director, concept taking it to the City of Algonac Treasurer could be a problem, utilize the director as much as possible.

As a Precinct Delegate, responsible to keep the community informed what is going on, politically and getting people registered to vote. Recently received “hate” mail and would like the public to be informed what it said, read it out loud, not signed who sent it, have turned it over to the Police, Michigan Crime Lab for investigation, need to stop and think who is supporting this sort of action.

ADJOURNMENT:

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to adjourn the meeting at 9:05 p.m. AYES: All. NAYS: None. ABSENT: McKoan IV.

Michael P. Pellerito
Clay Township Clerk