

Minutes of the Clay Township Board Meeting held on Monday, February 21, 2005 at 7:30 p.m. in the Clay Township Meeting Hall, 4710 Pointe Tremble Road, Clay Township, Michigan 48001.

PRESENT: Clerk, Michael Pellerito, Treasurer, Connie Turner, Trustee Patricia Sharrow, Trustee, John Makuch, Trustee, Jay DeBoyer, Trustee David Dare.

ABSENT: Supervisor, Jon Manos.

Citizens Present: Approximately twenty-five (25).

APPOINTMENT OF ACTING CHAIR:

Motion by Sharrow, supported by Makuch, to appoint Michael Pellerito as acting Chair in the absence of Supervisor Jon Manos.

AYES: All.

NAYS: None.

ABSENT: Manos.

MOTION CARRIED

AMENDMENTS TO THE AGENDA:

None.

MINUTES AND SYNOPSIS OF FEBRUARY 7, 2005:

Motion by Turner, supported by Makuch, to approve the February 7, 2005 Board minutes and synopsis.

Patricia Sharrow requested that the minutes reflect comments by Plante and Moran stating: "This is not germane to just Clay Township, every unit of government and business that we deal with deal with this same problem; primary revenue sources for your governmental fund have increased at a rate somewhat less than 5% while fringe benefit costs and salaries have increased in excess of 10%".

AYES: All

NAYES: None

ABSENT: Manos

MOTION CARRIED

BILLS PAYABLE:

Motion by Turner, supported by DeBoyer, to approve bills payable in the amount of \$171,061.63.

ROLL CALL VOTE:

AYES: Patricia Sharrow, John Makuch, Connie Turner, Michael Pellerito, Jay DeBoyer, David Dare.

NAYES: None

ABSENT: Manos

MOTION CARRIED

PETITIONS:

None.

COMMUNICATIONS: Clerk Pellerito read the following:

02-06-05 letter from St. Clair County Library System informing Clay Township of the necessity to reduce hours at the Library because of funding losses.

02-07-05 letter from St. Clair County Road Commission notice of 2005 Annual Township meeting to be held Thursday, March 10, 2005 in the conference room of the Road Commission, 21 Airport Drive, St. Clair, Michigan, from 6:30 p.m. to 9:00 p.m.

Public Notice that all winter decorations and grave blankets will be removed from graves in Oaklawn Cemetery beginning April 3, 2005.

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SEMCOG notice of public comment period on the eight-hour ozone conformity demonstration for the 2030 Regional Transportation Plan (RTP) and 2004-2006 Transportation Improvement Program (TIP). Comments may be sent to: SEMCOG Information Services, 535 Griswold, Suite 300, Detroit, MI 48226 or faxed to (313) 961-4869.

02-21-05 letter from Bob Williams, 2007 Stewart Road, Harsens Island, in regards to the Emerald Ash Borer and the Michigan Department of Agriculture's procedures.

OLD BUSINESS:

1. Harsens Island Fire Chief request for two new trainees:

Makuch; I have met with the Harsens Island Fire Department, unfortunately, David Dare was unable to be there. We spoke about the budget. They are aware there is no money in the budget for training until July 1, 2005. I am convinced it is okay to bring these two on as trainees.

Motion by Makuch, supported by Dare, to bring Carmen Thomas and Susan (Beth) Leathers Slazakowski on as trainees for Harsens Island Fire Department.

AYES: All

NAYES: None

ABSENT: Manos

MOTION CARRIED

2. Traffic Study (M-29/Ainsworth)

Pellerito requested Boards permission to proceed to step two and file this with MDOT in Port Huron. The Board approved this study and if there are additional charges as we move along I will advise the Board.

Sharrow: Was not impressed with MDOT when shopping center requested a traffic light.

Turnkey took it right to Lansing.

Discussion concerning procedure to take.

Pellerito: I will forward it to Port Huron and give them 14 days and I will confer with them and St. Clair County Road Commission.

PUBLIC COMMENTS:

None

NEW BUSINESS:

1. Clay/Algonac joint meeting:

Motion by Turner, supported by DeBoyer, to hold the joint meeting with Algonac on April 18, 2005, 7:30 p.m. at Clay Township Meeting Hall.

AYES: All

NAYES: None

ABSENT: Manos

MOTION CARRIED

2. Department Reports:

Motion by Turner, supported by Makuch, to receive and file Assessor, Bldg., Plng. & Zoning & Code Enf., H. I. Fire Dept., DRC, Water Dept., Algonac/Clay Library, Algonac Community Center, Wastewater Treatment Plant January 2005 monthly reports.

Makuch questioned number of inspections by Building and Zoning & Code enforcement and main breaks.

AYES: All

NAYES: None

ABSENT: Manos

MOTION CARRIED

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3. Algonac Little League resolution for Charitable Gaming License:

Motion by Sharrow, supported by Turner, to recommend approval of Algonac Little League's application for a Charitable Gaming License.

ROLL CALL VOTE:

AYES: Dare, DeBoyer, Turner, Makuch, Sharrow, Pellerito

NAYES: None

ABSENT: Manos

MOTION CARRIED

4. Mainland Fire Chief request for support person:

Pellerito: Former Fire Chief Pete Boyd, served our community well.

Motion by Makuch, supported by Turner, to approve Pete Boyd as a support person for Mainland Fire Department.

AYES: All

NAYES: None

ABSENT: Manos

MOTION CARRIED

5. Building Official request for renewal of SEMBOIA and payment of dues.

Motion by Sharrow, supported by DeBoyer, to pay the annual dues to SEMBOIA for Mike Kras in the amount of \$50.00

AYES: All

NAYES: None

ABSENT: Manos

MOTION CARRIED

6. Resolution for grant to demolish abandoned buildings on tax-reverted properties.

Pellerito: Have we been successful in getting grants in past years?

Kras: No. We do have to send Resolution with application.

Motion by Turner, supported by Sharrow, to make application for a grant for demolition of abandoned buildings with the understanding that no Township money will be spent to demolish if grant is not received.

ROLL CALL VOTE:

AYES: Makuch, Turner, Pellerito, DeBoyer, Dare, Sharrow.

NAYES: None

ABSENT: Manos

MOTION CARRIED

7. Resolution of Support of Algonac Community Schools application for a grant.

Pellerito: Last year Algonac Rotary and St. Clair Community Foundation wrote for a grant for \$100,000.00 for an Educational Nature Trail on school property at Marsh and Jankow roads.

Clay Township agreed to provide \$5,800.00 in in-kind services. Unsuccessful in obtaining the grant. Waterfowl USA, St. Clair Flats Chapter #1 donated \$20,000.00, Algonac Rotary has offer \$3,500.00, \$26,00.00 cash-on-reserve and in-kind from the School and Township, and the grant application is for \$68, 372.00. This is a 40% match money, which gives a better chance of obtaining the grant.

Motion by Sharrow, supported by Makuch, to pledge our support to Algonac Schools in searching for a grant to build an Educational Nature Trail.

ROLL CALL VOTE:

AYES: DeBoyer, Dare, Sharrow, Makuch, Turner, Pellerito

NAYES: None

ABSENT: Manos

MOTION CARRIED

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Motion by Sharrow, supported by Makuch, to send letter of support to Dr. Dennis Guiser, Superintendent of Algonac Community Schools.

AYES: All

NAYES: None

ABSENT: Manos

MOTION CARRIED

8. Request to lower St. John Drive posted speed limit:

Pellerito: Received approximately 40 signatures on a petition from St. John Dr. residents requesting the speed limit be lowered. There are approximately 65 residents on the drive.

Met with Jim Warner, Director of Engineering at St. Clair County Road Commission and Officer Tim Brown of Michigan State Police. Because it is a dead-end road the promulgated rules apply and can do a prima-facie speed limit reduction.

Motion by Makuch, supported by Turner, that we support the lowering the speed limit on St. John Drive from 35 mph to 25 mph as stated.

AYES: All

NAYES: None

ABSENT: Manos

MOTION CARRIED

9. Library Board Request to amend budget:

Pellerito: Library Board would like to install electronic door openers to be ADA compliant. This was not in their original budget but there are sufficient funds available in their fund balance.

Approximately \$4,000.00 to purchase. Asking to amend budget to allow this purchase.

Motion by Sharrow, supported by DeBoyer, to allow Library Board to amend the budget using \$4,00.00 out of fund balance held by the City of Algonac to provide handicap door openers at the Library.

AYES: All

NAYES: None

ABSENT: Manos

MOTION CARRIED

BOARD MEMBERS COMMENTS:

Sharrow: Was Mr. Lines' resubmitted letter received at the office?

Pellerito: Likely on Mr. Manos desk.

John McNamee addressed the Board in regards to the Emerald Ash Bore and responded to questions from Bob Williams. This Emerald Ash Borer is not limited just to this state. The State is acting under the authority of Sec. 18 Act 189 of 1931 according to the information Mr. McNamee has been given. The action plan is a three-page document entitled, "Determination of Ash Host Plant Nuisance and Public Notice Proposed Eradication Measurers". This was a result of hearings held around the State and was issued on February 9, 2004. Public comments from those meetings were published and answer some questions. The authority to take action on uninfested trees is also found in Sec. 18 Act 189 of 1931. When an infected site is found must take action within a half mile radius because of the ability of the Emerald Ash Borer to lay eggs to a distance of one half mile out from the emergence of the female beetle. There is no Compensation to property owners according to MDA and EAB Taskforce Response Strategy because no dollars are available nor legislative authority or budget within USDA the Federal agency funding the Emerald Ash Borer response in Michigan. Six months ago there were Federal Grants available to allow for reforestation. It would be allocated to the local communities to make the decision as to how it could be allocated to the affected property owners.

The Township cannot take action requesting a restraining order. The statute provides for review by the Commissioner of Agriculture and when exhausted then to Circuit court. You would have to prove to the court that the commissioner had done something contrary to his authority. Difficult to prove, it appears they have followed their own rules and procedures.

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BOARD QUESTIONS: None

PUBLIC QUESTIONS:

Dr. Kasperowicz, 6603 Dyke Road. How was the study done, what was the weather like?

McNamee: Don't know.

Richard Baker, 9212 Stone Road. Trusting to luck that the Borers won't go more than ½ mile, any barriers or spraying?

McNamee: From their study determined cannot travel more than ½ mile as long as bark or tree not transported to another area.

Pellerito: No discussion of spraying.

John Pierce 891 North Channel Drive. Yesterday the State, on their website, said might allow us to keep trees if treated by a certified Arborist. Met with State Representative Pavlov and he is going to help where he can. State is recognizing has been done by others.

Pellerito: The catch is that if treatment does not work it will be your expense to take the tree down.

Makuch: How much Arborist charge? How often?

John Pierce: Depends on size of tree. Yearly.

DeBoyer: Isn't that a root injection:

Pierce: There are five different ways to treat.

John Horvath, Golf Course Road: Discussion of how research was done. February 16th Detroit Free Press article said there was grant money available for individuals, papers sent to Connie Turner and Mr. Manos. Concerned about cleanup and what is done with logs. Reason for request for restraining order is to get more documentation and answers. Suggest ask for full amount of Grant.

Connie Turner: Was told the grant was for landscape trees only.

Pellerito: Thank you to Mr. McNamee for coming and addressing this issue.

PUBLIC COMMENTS:

None

ADJOURNMENT:

Motion by Makuch, supported by Turner, to adjourn the meeting at 8:50 p.m.

AYES: All

NAYES: None

ABSENT: Manos

MOTION CARRIED.

Michael P. Pellerito
Clay Township Clerk