

**Minutes of the Clay Township Regular Board Meeting Held on Monday, August 1, 2005 at 7:30 p.m. in the Clay Township Meeting Hall, 4710 Pointe Tremble Road, Clay Township, MI 48001**

PRESENT: Supervisor Jon Manos, Clerk Michael Pellerito, Trustee Patricia Sharrow, Trustee John Makuch, Trustee Jay DeBoyer, Trustee David Dare  
ABSENT: Treasurer Connie Turner

Citizens Present: Approximately 12

**AMENDMENTS TO THE AGENDA:** None

**APPROVAL OF CLAY TOWNSHIP JULY 18, 2005 MINUTES AND SYNOPSIS:**

**Motion** by Makuch, supported by Dare, to approve the July 18, 2005 Regular Board Meeting Minutes and synopsis.

AYES: All

NAYES: None

ABSENT: Turner

MOTION CARRIED

**APPROVAL OF BILLS PAYABLE:**

**Motion** by Sharrow, supported by Makuch to approve the 2004/2005 bills payable in the amount of \$826.65 and the 2005/2006 bills payable in the amount of \$12,890.28 for a total of \$13,716.93.

ROLL CALL VOTE

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

NAYES: None

ABSENT: Turner

MOTION CARRIED

**PETITIONS:** None

**COMMUNICATIONS:**

Recognition of the Harsens Island Fire Department in the rescue efforts of Stephen Brian Uhl and at his funeral. Also at the wave runner accident and the electrocution.

St. Clair County Road Commission notice of Swartout Road closing Monday August 1st through Thursday August 4<sup>th</sup>.

**OLD BUSINESS:**

1. Bid for tree removal at Oaklawn Cemetery

**Motion** by Pellerito, supported by DeBoyer, to accept the bid of J&R Tree Service, Inc. of \$1,175.00 to remove the tree in Oaklawn Cemetery.

AYES: All

NAYES: None

ABSENT: Turner

MOTION CARRIED

2. Discussion on Ash Borer Tree Replacement

Manos: Treasurer met with DEQ, it is a match program, will be next spring.

Pellerito: We are going for a \$20,000.00 Grant, which will include a \$20,000.00 match. Will be able to use approximately \$5,000.00 that has been spent towards the Grant. Should be able to get reimbursed for our advertisement, etc. that we have done. Asking permission to advertise for a committee of people affected by the Emerald Ash Borer tree removal who would administer the program for us. Will include landscape trees only.

**Motion** by Makuch, supported by Dare, to set up a committee, advertise on Channel 6, follow Cottrellville's program to maximize what we can get in grant money.

Sharrow: Ad in paper, many people do not have Channel 6.

**Motion amended** by Makuch, supported by Dare, to set up a committee, advertise on Channel 6 and in the Voice, follow Cottrellville's program to maximize what we can get in grant money.

AYES: All

NAYES: None

ABSENT: Turner

MOTION CARRIED

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**PUBLIC COMMENTS** relating to any new business on the Agenda:

None

**NEW BUSINESS:**

1. Resolution for Mainland Fire Department Special Assessment

**Motion** by Sharrow, supported by Makuch, to approve the Resolution establishing the millage rate at 1.375, the same as last year.

ROLL CALL VOTE

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

NAYES: None

ABSENT: Turner

MOTION CARRIED

2. Resolution for Russell Island Fire District Special Assessment

**Motion** by Makuch, supported by Dare, to approve the resolution to establish the millage rate at .900, same as last year

ROLL CALL VOTE

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

NAYES: None

ABSENT: Turner

MOTION CARRIED

3. Resolution for Harsens Island Fire Department Special Assessment

**Motion** by Makuch, supported by DeBoyer, to approve the resolution to establish the millage rate at 1.750, same as last year

ROLL CALL VOTE

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

NAYES: None

ABSENT: Turner

MOTION CARRIED

4. Resolution for Clay Township Police Department Special Assessment

**Motion** by Sharrow, supported by Makuch, to approve the Resolution to set the millage rate at 4.350, same as last year

ROLL CALL VOTE

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

NAYES: None

ABSENT: Turner

MOTION CARRIED

5. Resolution to set Boydell Road Public Hearing

**Motion** by Pellerito, supported by Sharrow, to set the Public Hearing of Necessity on August 15, 2005 at 7:15 p.m.

ROLL CALL VOTE

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

NAYES: None

ABSENT: Turner

MOTION CARRIED

6. Reports: June 2005 Assessor; 04/05 Year End Harsens Island Fire Department

**Motion** by Makuch, supported by DeBoyer, to accept and file the 2005 Assessor's report and the 04/05 Year End Harsens Island Fire Department report.

AYES: All

NAYES: None

ABSENT: Turner

MOTION CARRIED

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7. Port Huron Fees to Export Files

8. St. Clair County Equalization Department Request for Changes

Pellerito: Everyone going to BS&A, need to talk about the conversion of the data and to maintain sharing of data between the County and us. There will be a one time shot and a per parcel fee. First are the expenses on the land divisions and things of that nature. Currently we have a fee for land division, followed by recording of deed, Township now experiencing additional expenses. Need to amend our fee schedule to cover costs incurred, should break even. Will bring back in resolution form.

The data conversion cost is approximately \$2,000.00 to bring the past three years records forward so they are compatible with the BS&A programming that we desire. Still do not have a price on a printer, discovered some wiring not proper for conversion. Don't believe need to act on this tonight.

Sharrow: Wiring in this building replaced?

Pellerito: Network wiring. The City of Port Huron large dollars amount is to maintain our systems. There will be necessity of upgrades. We will continue to bring this back under Old Business.

9. Resolution to Transfer Liquor License

Pellerito: This is for the Roadhouse Bar

**Motion** by Pellerito, supported by Makuch, to adopt the resolution to transfer the liquor license to Lapham Restaurant, Inc.

ROLL CALL VOTE

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

NAYES: None

ABSENT: Turner

MOTION CARRIED

10. St. Clair County Road Commission 2006 Local Road Funding Assistance Program letter

Manos: Michigan received 200 to 300 million dollars additional in federal road funds. We are not in the running for any 2006 match money.

Introduced Representative Phil Pavlov.

11. Police Department "2<sup>nd</sup> Chance Body Armor" Purchase Request

Manos: Vest using now were a five year life, now determined have deteriorated, not up to standards, request to purchase one year early.

**Motion** by DeBoyer, supported by Makuch, to approve the immediate purchase of seventeen Second Chance T2, level II w/ Soft Plate Armor and Carrier for \$315.00 per vest for a total of \$5,355.00.

Makuch: Deputy Drake, Second Chance the manufacturer, they had the recall, is there another source?

Deputy Drake: Still the best vest; Union contract calls for Second Chance.

Sharrow: Grant that will be applied for that may pay for half, with it be receive in this fiscal year?

Deputy Drake: Not sure, it is a Federal Grant; don't know when money is going to come.

ROLL CALL VOTE

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

NAYES: None

ABSENT: Turner

MOTION CARRIED

12. Text Amendment 123-13

**Motion** by Pellerito, supported by Dare, to approve the text amendment 123-13, Article XXI, Site Plan Review Procedures, and Article XXVII, Administration and Enforcement.

ROLL CALL VOTE

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

NAYES: None

ABSENT: Turner

MOTION CARRIED

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### 13. Harsens Island Fire Department request for reimbursement for Training

Makuch: Dave Dare and I met with Harsens Island Fire Department, discussed many issues. Recall reason done in this manner; because training was in Marine City, they are aware of cost and that it will be deducted from their training budget for this year and that there are "X" amount of dollars left and must use it wisely.

**Motion** by Makuch, supported by Dare, to approve the request to reimburse Beth Leathers, Carmen Thomas and Jesse Morgan \$890.00 each for the cost of the Firefighter Class for a total of \$2,670.00.

Sharrow: Don't like the way things have been done. Too many of these "had to do it because" and then ask for approval. Don't like the method, we constantly get these things after the fact.

Makuch: Believe we got a lot of things settled and think that this type of thing is in the past.

AYES: All

NAYES: None

ABSENT: Turner

MOTION CARRIED

### 14. Agenda Format

Pellerito: Consent agenda expedites the agenda. Currently include FYI, sometimes correspondence for elected officials, under Consent agenda could include so residents would know received.

Secondly, could put other items such as reports. Non-controversial items approval can take in as many items as you want. If something you want to discuss, can take it out and put on the table.

Another portion would like to see done is "Amendments to the Agenda". Several Trustees, bases upon information received from MTA and conferences, believe that amending an agenda after it has been distributed to our community; even though it is legal it creates an appearance of changing the tune. If something comes up the Supervisor or three Trustees can call a Special meeting. Thirdly, seems some of our Public Comments are lasting longer than our Board Meeting and believe the Board should have the ability to limit Public Comments to five minutes. If the Board feels more time is justified they can allow that.

Manos: Several people may be waiting to speak and there is a 20-minute dissertation and they don't get the opportunity to speak. This is not to cut anyone off from addressing the Board but there may be other people and other considerations. Board could extend or allow to speak a second time as long as not redundant.

Pellerito: Has the Board seen that one of the examples under the Consent Agenda is that you do have the minutes early enough that you could review and call in and say okay?

Sharrow: The minutes and bills payable don't have to go in the Consent, they don't take long. I always have feeling when bills payable are part of the Consent it appears that it was all decided before the meeting. A lot of these reports and letters could be grouped. Our Business meetings don't run too long but agree that Public Comments sometimes too long. Citizens could write a letter that each Board member would get. Could speak a few minutes at meeting. Some limit time to 2 or 3 minutes, 5 is more than enough.

Pellerito: If everyone could back to me with suggestions we will put it on the next agenda.

### 15. Service Credit Purchase

Manos: We have two things; a Service Credit Purchase Resolution as part of an early retirement package for Valerie Kulba, which she would like to accept. Second, she has agreed to accept voluntary layoff for a period of time waiving Seniority and the Union has also agreed.

Pellerito: We have a Resolution that allows us to purchase eight months of service credit for Valerie at a price of \$4,584.00, this satisfies requirements in the Union contract and allows her Health Care eligibility. Valerie would stay until September 1<sup>st</sup> and then go on vacation for the month of September and at that point in time she can take the Health Care and retire.

**Motion** by Pellerito, supported by Sharrow, to approve the resolution to allow us to purchase eight-months of service credit for Valerie Kulba in the amount of \$4,584.00.

ROLL CALL VOTE

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

NAYES: None

ABSENT: Turner

MOTION CARRIED

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Manos: Asking the Board for authorization to sign the Early Retirement Proposal that has been agreed upon with Valerie Kulba.

**Motion** by Makuch, supported by DeBoyer, to authorize the Supervisor to sign the Early Retirement Proposal with Valerie Kulba.

AYES: All

NAYES: None

ABSENT: Turner

MOTION CARRIED

16. Harsens Island Fire Dept. request to purchase Batteries

**Motion** by Makuch, supported by Dare, to approve the Harsens Island Fire Department's request to buy batteries for the hand held radios and pagers for a total cost of \$802.35 plus shipping.

AYES: All

NAYES: None

ABSENT: Turner

MOTION CARRIED.

17. Harsens Island Fire Dept. request to purchase Medical supplies

**Motion** by Makuch, supported by Dare, to approve the Harsens Island Fire Department request to purchase medical supplies in the amount of \$504.62.

AYES: All

NAYES: None

ABSENT: Turner

MOTION CARRIED

**BOARD MEMBER COMMENTS:**

Manos: Went to the FEMA meeting in Port Huron, Candice Miller sent a representative, Senator Gilbert went. Were told the goal for one year is to raise the elevation about 14 inches over where we are presently. Enough to give this community concern. They are using data from 86-87.

Present elevation is 578.5. Going to ask for peoples support to try to change this goal. Contact your Representative, Federal or State.

We are meeting with the City of Algonac on Wednesday.

**PUBLIC COMMENTS:**

Representative Phil Pavlov: Thank you for opportunity to come and hold some office hours here.

Comments on the State budgets. The House budget contemplates no change in Revenue Sharing;

Clay will be held harmless in terms of any cuts; no cuts, new taxes or fees. We live within our

means. We have a budget that is about 300 Hundred Million Dollars less than the Governors

budget. In the next several months will be talking about Clean Air, Michigan will have to have a

plan to meet those EPA requirements. Soil Erosion, Senator Gilbert and myself got the Governor to sign a relief package that is geared toward the homeowner's maintenance. Signed June 30<sup>th</sup>,

becomes law in 60 days.

Makuch: Discussion about gasoline and Chemical Valley.

Charles Michel, 2431 Pointe Tremble Road: Received letter in regards to comments made to DRC Director. Misunderstanding.

**ADJOURNMENT:**

**Motion** by Makuch, supported by DeBoyer, to adjourn the meeting at 8:32 p.m.

AYES: All

NAYES: None

MOTION CARRIED

Michael P. Pellerito  
Clay Township Clerk