

Minutes of the Clay Township Regular Board Meeting Held Monday May 21, 2007 in the Clay Township Meeting Hall, 4710 Pointe Tremble Road, Clay Township, Michigan

Supervisor Manos called the meeting to order at 7:30 p.m.

ROLL CALL

Present: Supervisor Jon Manos, Clerk Michael Pellerito, Treasurer Connie Turner, Trustee John Makuch, Trustee Jay DeBoyer, Trustee David Dare

Absent: None

Citizens: Approximately 50

BILLS PAYABLE

Motion by Turner, supported by Makuch, to approve paying the bills in the amount of \$20,718.70

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

CONSENT AGENDA

Motion by Makuch, supported by DeBoyer, to accept the Consent Agenda as submitted

AYES: All

NAYES: None

MOTION CARRIED

OLD BUSINESS

1. Anchor Bay Drive Dredging Resolution #4

Motion by Turner, supported by Dare, to adopt Resolution #4 for Bay Dredging section for Anchor Bay for a five year (5) period at a total cost of \$117,586.38 at 5.75%

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

2. Set Budget Workshop

Motion by DeBoyer, supported by Makuch, to set the Budget Workshop for Wednesday, May 30, 2007 at 5:00 p.m.

AYES: All

NAYES: None

MOTION CARRIED

3. Contract Negotiations

Manos: Nothing to report

No Action taken

Supervisor Manos presented an award and plaque from the Mainland Firefighters to Chief Rick Edler in recognition of his 20 years service on the Clay Township Mainland Fire Department.

PUBLIC COMMENTS RELATING TO ANY NEW BUSINESS

L. Kasperowicz, 6603 Dyke Rd: Questioned Board options to fill vacancy

Supervisor Manos explained the process outlined by law

K. Allen 6080 Middle Channel Dr: Interested in position

NEW BUSINESS

1. Board Options for Filling Vacant Trustee Position

Manos: A number have indicated interest in the seat on the Board. It is the Boards decision on which way they will choose to fill the vacancy; by appointment or by election

Makuch: Clear what the law says that if the term expired with less than 180 days into the term then it has to go to an election; if it is more than 180 days then the Board can make an appointment within 45 days of the vacancy or it goes to an election. Kevin Allen, Tom Krueger, Dr. Kasperowicz, Cindy Kirkpatrick, Brian Kirkpatrick, Joanne Shirkey and Marda Bates all wrote letters indicating they are interested in the position.

Minutes of the Clay Township Regular Board Meeting Held Monday May 21, 2007

Page 2

DeBoyer: Have done some research and would like to read something from the Michigan Townships Association that gives some advice on the topic. (Read MTA information) It is either upon the people who would like to have the seat to contact us and show their interest or it is upon us to have a person in our mind that we believe would be qualified to take the seat. If we do any interviewing it has to be done at a public meeting with an open forum for all citizens to see and hear so there is no backdoor deals being made. With that being said I think it is a disservice to hold an election at an expense to the citizens for a term that is going to expire in 18 months in which everyone would have an opportunity to cast their ballots. They make it very clear that it is preferred to be handled through appointment versus election when it is this close to the end of the term.

Motion by DeBoyer, supported by Makuch, to appoint Tom Krueger to the Board

Manos: I personally take exception to that consideration because Mr. Krueger has made an attempt in two previous election to be seated on the board and failed both times by substantial margin and for the Board to select Mr. Krueger when the electorate did not does not seem quite proper. I personally ran against Mr. Krueger in those elections and we have a different political philosophy. I don't think we have an entirely different view because he serves on the Planning Commission and I think he does a good job. But to bring that nomination here after the public has denied it I don't think it is a proper thing to do.

DeBoyer: If we are going to use the logic that a person who has lost an election should not sit on a Township Board, you have been defeated three times. It doesn't apply, is the person qualified or not? He has the credentials and has the knowledge.

Makuch: We are basically a member of a Board of Directors of a corporate board running a 13 million dollar business. In this instance we have some experienced candidates and I would hope that whoever gets in we need to put personal things aside and make some smart decisions. Would like to see the rest of the Board put the junk things aside and get down to business.

ROLL CALL VOTE

AYES: DeBoyer, Dare, Makuch, Turner, Pellerito

NAYES: Manos

MOTION CARRIED

Thomas Krueger was sworn in by Clerk Pellerito and took his seat on the Board.

2. Soil Removal Permits

Motion by Turner, supported by Makuch, to approve Soil Removal permit #47-6, Jon McLane

AYES: All

NAYES: None

MOTION CARRIED

Motion by Makuch, supported by Turner, to approve Soil Removal permit #47-12, Vermeulen Enterprises, Inc.

AYES: All

NAYES: None

MOTION CARRIED

Motion by Makuch, supported by Dare, to approve Soil Removal permit #47-13, Robert Bryson

AYES: All

NAYES: None

MOTION CARRIED

Motion by Makuch, supported by Turner, to approve Soil Removal permit #47-16, Wes Simons

AYES: All

NAYES: None

MOTION CARRIED

Motion by Makuch, supported by Dare, to approve Soil Removal permit #47-17, John Horvath

AYES: All

NAYES: None

MOTION CARRIED

Minutes of the Clay Township Regular Board Meeting Held Monday May 21, 2007

Page 3

Motion by Makuch, supported by DeBoyer, to approve Soil Removal permit #47-18, Thomas Volkman

AYES: All

NAYES: None

MOTION CARRIED

3. Resolution to Amend Graveside Service Fees

Pellerito: This is a suggestion to add \$500.00 to Graveside service fees and include the use of the Chapel, \$650.00 for residents and \$800.00 for non-residents

Motion by DeBoyer, supported by Makuch, to adopt the resolution to amend Charges for Deeded Lots, Columbarium Units and Internment at Oaklawn Cemetery for Graveside service fees inclusive of the chapel.

ROLL CALL VOTE

AYES: Dare, Krueger, Makuch, Turner, Pellerito, DeBoyer, Manos

NAYES: None

MOTION CARRIED

4. Resolution to Adjust Sewer Rates

Pellerito: This is a 3% increase for operations; per thousand gallons charge goes from \$1.90 to \$1.96, monthly goes from \$12.67 to \$13.05 and quarterly minimum goes from \$38.00 to \$39.15.

Motion by Makuch, supported by DeBoyer, to adopt the resolution to adjust sewer rates as proposed.

ROLL CALL VOTE

AYES: Krueger, Makuch, Turner, Pellerito, DeBoyer, Dare, Manos

NAYES: None

MOTION CARRIED

5. Resolution to Establish Water Rates

Pellerito: Also a 3% increase in water charges, attached are the minutes from the City of Algonac meeting showing the water rates to go to \$1.52.2 per thousand gallons which is up three cents per thousand gallons. An increase of 3% would bring it from \$2.43 to \$2.50, which should handle our operational cost increase.

Motion by Dare, supported by Turner, to adopt the resolution to increase the water rate by 3%, based on a rate of \$2.50 per thousand gallons

ROLL CALL VOTE

AYES: Makuch, Turner, Pellerito, DeBoyer, Dare, Krueger, Manos

NAYES: None

MOTION CARRIED

6. Greater Algonac Chamber of Commerce Membership Dues

Motion Turner, supported by DeBoyer, to approve the membership dues for \$150.00

AYES: All

NAYES: None

MOTION CARRIED

7. Consideration of Possible Millage Reduction

Manos: Discussed at the Budget workshop that we have the ability to lower some of the millage rates by one-quarter of a mill. We are going into the budget and the dollar amounts that will be generated by one-quarter mill less have to be incorporated into the revenue stream for the operating budget for the up coming year. The operating monies are not jeopardized. Have obtained grants that helped us to obtain some equipment we will not have to purchase next year. Can we approve a quarter mill reduction? Have gone over with Mainland Chief, haven't talked to Harsens Island Chief yet. We recommend a quarter mill in both cases.

Makuch: You are talking in the area of fire, correct?

Manos: Yes in the two districts.

Makuch: Have to watch state revenue, have to make sure the tax payers receive the protection they are paying for; show us the numbers.

DeBoyer: At next meeting will you have the numbers for the Board to look at?

Manos: We want some guidance, are we interested in do this?

Makuch: Lets look at it at the next budget workshop

Minutes of the Clay Township Regular Meeting Held on Monday May 21, 2007

Page 4

Pellerito: Budget workshop on May 30th, bring prepared budgets showing a quarter mill cut and see if they work.

8. Discussion of Consolidation of Clay Twp Fire Districts

Manos: Not something new. State has audited income tax returns and found writing off fire millage, in a special assessment district cannot be taken off income tax unless it is for whole Township. We respond to out islands without reimbursement. Now have watercraft and trained personal that can respond out there so the idea is consolidate the fire districts into one unit, by doing so believe the millage rate can be lowered considerably and fall under one designated area. This is done by vote of the people. Could combine communities. Should we look further into that process?

Makuch: Let's look at the numbers, there would be an advantage with taxes, need to work out the details.

DeBoyer: I agree, if we can reduce cost and make a more streamline, efficient machine, absolutely. Let's look at the numbers

9. ArborJet for Ash Trees

Turner: Mr. Horvath has informed us that our ash trees are ill; they have the Emerald Borer bugs in them. Mr. Horvath, explain what ArborJet does.

Horvath: Five trees are bad, don't think can save them. Other trees can be treated and will cost \$42.00 a tree for a 10 -12" diameter, yours are 16" but the non-profit organization will help with cost.

Turner: How many times have to do this?

Horvath: Every two years.

Manos: Have you tried to get hold of Al Kodet?

Turner: Yes, hasn't gotten back to me.

DeBoyer: The trees that are infested, how soon do you do them?

Horvath: Have to treat them before the end of August.

DeBoyer: When do they hatch?

Horvath: Usually June, because of cool weather may be later.

DeBoyer: If we top trees would that help?

Horvath: Think once it is dead it is dead but would talk to Dr. Roberts and let you know.

Motion by DeBoyer, supported by Makuch, to approve \$672.00 to treat sixteen (16) trees at a cost of \$42.00 per tree through ArborJet

AYES: All

NAYES: None

MOTION CARRIED

10. Resolution to set 07/08 Board Meeting Dates

Motion by Pellerito, supported by Makuch, to adopt the resolution setting the 07/08 meeting dates

ROLL CALL VOTE

AYES: Dare, Krueger, Makuch, Turner, Pellerito, DeBoyer, Manos

NAYES: None

MOTION CARRIED

11. Township Cleanup

Pellerito: Waiting for the schedule for Brown's Field, pretty booked up for June, July may be better.

Motion by Makuch, supported by Dare, to give Clerk Pellerito lea way to determine the most advantageous date for the cleanup and allot an amount not to exceed \$8,200.00 to cover everything needed.

AYES: All

NAYES: None

MOTION CARRIED

12. R.F.P. for Water Debt Analysis

Manos: Plante & Moran recommended a year ago to look at all water debt and the bond issues and see where we are today and where we are going.

Minutes of the Clay Township Regular Meeting Held Monday May 21, 2007

Page 5

Pellerito: Today is 21st, could have an RFP back by the 31st and have it for the June 4th meeting to make a selection

Makuch: Why a proposal?

Pellerito: Hate giving blank checks out

DeBoyer: Doesn't mean we can't get a price before award it.

Manos: Plante & Moran will bill on a time basis.

Makuch: Plante & Moran knows us. You contracted with Plante & Moran for an audit that cost us \$6,000.00 without coming to the Board. Now everybody wants to go out for bids.

Pellerito: I'm the one that wanted it to go out to bid, what's two more weeks?

DeBoyer: It's \$28, 686.00 dollars

Pellerito: I've been here too long to just pick up the phone and order something without asking around

DeBoyer: Maybe it's only me on the Board that looks at a water fund that's losing twenty-one hundreds dollars a day and goes, "Maybe we should do something". So I don't care if you save \$10,000.00 on a bid we're still \$18,000.00 upside down for everyday that goes by, we need to do it tomorrow and get the ball rolling.

Motion by DeBoyer, supported by Makuch, to hire Plante & Moran to do an analysis of our water fund.

ROLL CALL VOTE

AYES: Dare, Krueger, Makuch, Turner, Manos, DeBoyer

NAYES: Pellerito

MOTION CARRIED

PUBLIC COMMENTS

None

BOARD MEMBER COMMENTS

Krueger: Like to thank Board for putting their confidence in me. On the Planning Commission, like to ask what to do.

Manos: Don't have Board Representative on the agenda, so should abstain until we get it on the next agenda.

Makuch: The Supervisor makes the recommendation; I would like to see Mr. Krueger continue, but you will still have one position to fill on the Planning Commission.

ADJOURNMENT

Motion by Makuch, supported by DeBoyer, to adjourn at 8:30 p.m.

Michael P. Pellerito
Clay Township Clerk