

Minutes of the Clay Township Regular Board Meeting Held Monday December 1, 2008 in the Clay Township Meeting Hall, 4710 Pointe Tremble Road, Clay Township, Michigan

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

ROLL CALL

PRESENT: Supervisor Jay DeBoyer, Clerk Lisa White, Treasurer Connie Turner, Trustee Thomas Krueger, Trustee John Makuch, Trustee John Horvath, Trustee Joanne Shirkey

ABSENT: None

Citizens: 17

BILLS PAYABLE

Motion by Turner, supported by Makuch to pay the bills in the amount of \$87,755.96

ROLL CALL VOTE

AYES: Krueger, Makuch, Turner, DeBoyer, White, Horvath, Shirkey

NAYES: None

MOTION CARRIED

CONSENT AGENDA

Motion by Makuch, supported by Turner, to approve the Consent Agenda with the reading of the notice.

AYES: All

NAYES: None

MOTION CARRIED

Clerk White read the notice of Recycling Yard winter hours.

OLD BUSINESS

Chief Don Drake updated the Board and community on the forfeiture program that began in November between Clay Township Police and St. Clair County Prosecutor's office. Began forfeiting vehicles when operator was charged with operating while intoxicated second and third offenses. Four separate drivers and vehicles in November. On second and third offense can buy back vehicle; \$750 for second offense and \$1,500 for third, one time only. Under a grant program Clay Township has an OWI car out most weekends and nights when there is increased drinking and will enforce the OWI laws. On November 18th the St. Clair County Drug Task Force conducted a narcotics raid on a drug house on LaCroix Road on Harsens Island in conjunction with Clay Township Police Department. Have had a death on Harsens Island from a heroin overdose, we have a problem. Arrested and arraigned were Dwayne Green, delivering and manufacturing heroin under 50 grams, a felony, Jay Bonam, maintaining a drug house, a felony, Amanda Tank, maintaining a drug house, a felony. Two others were charged with frequenting a drug house. Ask that citizens do not accept these types of behavior in our Township and report it to the Police Department; they are the best source of information. Commended the Clay Township Police Department.

Krueger: Does the Drug Task Force use the information to find out where these people are getting their supplies?

Chief Drake: Yes

PUBLIC COMMENTS RELATING TO ANY NEW BUSINESS

None

NEW BUSINESS

1. Board Appointments

1.ZBA Board Representative

Motion by Krueger, supported by Shirkey, to appoint John Makuch as Board Representative to the ZBA for one year.

AYES: All

NAYES: None

MOTION CARRIED

ZBA Member:

DeBoyer: Have a letter that I presented to the Board to fill the position left by Joanne Shirkey and it is a new term.

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Motion by Makuch, supported by Turner, to accept the letter from Brian Treppa expressing his interest in serving on the Zoning Board of Appeals and appoint him to a three-year term.

ROLL CALL VOTE

AYES: Krueger, Makuch, Turner, DeBoyer, White, Horvath, Shirkey

NAYES: None

MOTION CARRIED

2.Planning Commission Board Representative

Motion by Turner, supported by Shirkey, to appoint Tom Krueger as Board Representative to the Planning Commission

AYES: All

NAYES: None

MOTION CARRIED

3.Downriver Recreation Commission Representative

Motion by Makuch, supported by Krueger, to appoint Connie Turner as the Board Representative to the Downriver Recreation Commission

AYES: All

NAYES: None

MOTION CARRIED

4. Fire Commissioners

DeBoyer: Joanne Shirkey has expressed interest in being a Fire Commissioner as would I, and John Makuch will step aside.

Makuch: Think it is important to have one person from the Mainland and one person from the island.

Horvath: Is this going to be done jointly?

DeBoyer: Yes

Motion by Makuch, supported by Krueger, to appoint Jay DeBoyer and Joanne Shirkey as Fire Commissioners

AYES: All

NAYES: None

MOTION CARRIED

B. Board of Review Appointments

Motion by Turner, supported by Krueger, to reappoint Mary Kot, James Miller and Georgia Williams to the Board of Review

AYES: All

NAYES: None

MOTION CARRIED

C. Downtown Development Authority Appointments

Motion by Makuch, supported by Turner, to accept Artie Bryson to serve on the DDA for another term.

Motion amended to: Appoint Artie Bryson and Richard Wagner, Jr. to serve another term on the Clay Township Downtown Development Authority. Turner supported amendment

AYES: All

NAYES: None

MOTION CARRIED

D. DRC Appointment

Motion by Krueger, supported by Makuch, to appoint George Lyle for another term on the Downriver Recreation Commission

AYES: All

NAYES: None

MOTION CARRIED

2. FOIA COORDINATOR

DeBoyer: By statute we must have a FOIA coordinator, that person must be selected and the public made aware of whom that person is. Dorothy DeBoyer facilitated that with the previous Board and has agreed to take that position for this Board.

Motion by Makuch, supported by Krueger, to appoint Dorothy DeBoyer as FOIA Coordinator.

Shirkey: Should make public aware of what FOIA means, Freedom of Information Act.

AYES: All

NAYES: None

MOTION CARRIED

3. MTA New Officials Training

Motion by Makuch, supported by Turner, to allow any Board Member to attend the MTA New Officials Training on December 15th at the Thomas Edison Inn in Port Huron and get the basic book package.

AYES: All

NAYES: None

MOTION CARRIED

4. MTA Conference

DeBoyer: Connie has taken steps to get this started

Turner: To get rooms where all the classes are you have to book by October 1st and have done that. Need to know who is attending.

Krueger: Is this pre-conference new? Thought it was Wednesday, Thursday and Friday

Turner: In order to get into the Renaissance Center you have to go Tuesday through Friday.

DeBoyer: It is a fantastic educationally conference and there is a lot of information for Police and Fire and Water Department.

Motion by Makuch, supported by Shirkey, to allow any of the Township Board Members to attend the MTA conference and any department heads if it is relevant.

AYES: All

NAYES: None

MOTION CARRIED

5. SEMCOG Membership

DeBoyer: Was a member in the past, let it expire because of fee, and wasn't sure getting the best service for the dollar. Have had some conversations with some people at SEMCOG, expressed our concerns, informed me on some new information they have. Agreed to give us a one-year trial membership at half the dues to bring us back. Have discussed with Connie, feel would be worthwhile to go back and exploit their service for half the cost.

Horvath: Is a valuable service, even if twice the cost. Have so many services, have to utilize them.

Motion by Horvath, supported by Makuch, to accept the one-year membership in South Eastern Michigan Council Of Governments at one half the fee, with the cost being \$675 for 2009

AYES: All

NAYES: None

MOTION CARRIED

6. Replacement Membranes for Water Plant

DeBoyer: Have received a letter from the City of Algonac giving us formal notice of expenditure exceeding \$20,000 and we have to respond back with a formal letter. It is a contract agreement.

One section of filters are due for replacement from normal wear and tear.

Krueger: Letter talks about a resolution, do we need a resolution?

DeBoyer: By contract we need approval and the send a letter of agreement

Horvath: This is something we have already agreed on?

DeBoyer: Yes. This allows Algonac to not exceed twenty thousand expenditure at the Water Plant without our approval.

Horvath: When will we have to replace another set of filters?

Jon DeBoyer, Water Department Superintendent: Spoke to Gary Trese at the Water Plant and he anticipates four to six years. Has run into the problem that each filter unit has ninety membranes and he has twenty-five that have failed and eighteen are in one unit so 20% of the membranes have failed. That is the number one filtration unit so has to do something with it. Have pinned the membranes and have gotten as much life out of them as they can. This total cost is split between the Township and the City. This is an agreement that is in our contract.

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Krueger: It comes out of a maintenance fund so we aren't approving any expenditure out of our pocket; this is just to allow this.

Water Department Superintendent: We are giving them authority to take the money out of the replacement fund.

DeBoyer: In our agreement with the City of Algonac, we must earmark money every year for the maintenance of that plant. This not an unexpected expenditure that we have to write a check out of our General fund. This is by contract.

Horvath: Important people know how this works.

Krueger: This isn't a warranty issue is it? When they sold this to us what did they say was the life expectancy?

Water Department Superintendent: Don't know if they gave a time frame. Were some legalities in the lawsuit between U.S. Filter and the City and there were some agreements made that may have put the City in a lesser situation when it came to warranties. Don't know details but the warranty is not covering this.

Makuch: What is our portion of this?

Water Department Supervisor: It is a 60/40 agreement

Motion by Makuch, supported by White, to approve our portion, our contractual obligation to pay 60% towards the purchase of new membranes with the cost not to exceed \$16,000.00.

AYES: All

NAYES: None

MOTION CARRIED

PUBLIC COMMENTS

W. Simon, 4722 Green Dr., representing the Harsens Island St. Clair Flats Association:

Welcomed new and returning Board Members. Concerns about the road from M154 to ferry landing and possible ice jams this winter. Presented letter to the Board.

N. Rhodes, 3206 S. Channel, representing Citizens for Responsible Development: Information on meetings held

L. Kasperowicz, 6603 Dyke Rd: Comments on FEMA and rezoning of his property

C. Miller, 5178 Green Drive: Comments on SEMCOG and environmental group

BOARD MEMBER COMMENTS

Krueger: SEMCOG, we could have one of our Board members be a representative. It is good to have a presence at these meetings.

Turner: When you join they ask for a representative and alternate

DeBoyer: Sent a letter and received a positive response from Bob McCoy Supervisor of Ira Township, Jim Wisdom, Algonac City Mayor and Tom Raymond Cottrellville Supervisor. We are going to talk about potential areas where we could come together on things that we could bargain on collectively and possible come up with better deals. Lot of redundancy in government. Clay Township financially is pretty sound don't want to wait until we are behind the eight ball before we make decisions. If any Board members have any ideas we could talk about or if you would like to be there let me know. If any citizens have ideas you can contact us.

Horvath: Public needs to talk to us, we are trying to change things and have them communicate with us.

Shirkey: Glad to be here and thank you for all the support, call me if I can help

Horvath: Feel the same way.

ADJOURNMENT

Motion by Makuch, supported by Krueger, to adjourn the meeting at 8:34 p.m.

AYES: All

NAYES: None

MOTION CARRIED

Lisa M. White
Clay Township Clerk

Prepared by:
Dorothy DeBoyer
Deputy Clerk