

Minutes of the Clay Township Regular Board Meeting Held Monday May 18, 2009 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. with the Pledge of Allegiance

ROLL CALL

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

ABSENT: Trustee John Horvath left at 7:30 p.m. because of an emergency

Citizens: 30

BILLS PAYABLE

Motion by Turner, supported by Krueger, to pay the bills in the amount of \$203,591.61

ROLL CALL VOTE

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

NAYES: None

ABSENT: Horvath

MOTION CARRIED

CONSENT AGENDA

Motion by Makuch, supported by Shirkey, to approve the Consent Agenda as presented with the reading of the notices and communications

AYES: All

NAYES: None

MOTION CARRIED

Clerk Lisa White read the notice of the Clay Township Annual Cleanup June 12, 13 & 14, 2009 and the Hazardous Waste Disposal June 13, 2009

Supervisor Jay DeBoyer read the letter of notice from the City of Algonac concerning their intent to withdraw from the DRC at the end of the next fiscal year.

UNFINISHED BUSINESS

1. Discussion of Fire Department Pay

DeBoyer: Do you have any thoughts at this time or anything you would like to discuss?

Shirkey: Think pay, as we move towards making it one department, needs to be across the board for the firefighters on Harsens Island and Mainland. I don't see any problems, seems average.

Makuch: Think with overall of combining, don't think should be put in place now

White: Legally we should be paying the same amount to the same job description

DeBoyer: Don't think we need to put in place immediately what we're talking about but we need to have them on parity. If the Board wants to take any action it should be to get both job descriptions being the same. The issue of where we're setting up these numbers we could probably reserve that as we move forward and combine them in the new budget.

Shirkey: The trainees are paid different and that shouldn't be, should be the same.

DeBoyer: Are either one in compliance now?

White: No, because they are paid by credit hour in two hour blocks so it gives them one credit, some are six and some are ten and we have to break that down and half is at minimum wage and it's not right now.

DeBoyer: Six weeks from new budget, what's the Board think, want to get this refined and next meeting get it into place?

Turner: Right now Harsens Island gets \$10.00 per call for base pay so why don't we make a motion so Mainland also gets \$10.00 for base pay?

White: They do except for trainees. My point was it is silly to go ahead if it still is not meeting the minimum wage law. Did you want to change it per hour?

Turner: Could make it \$10.00 per hour for trainees.

Shirkey: Let's do it the simplest way we can to make it right.

Makuch: Let's firm it up, bring it to the next meeting and approve it.

DeBoyer: One of our concerns is, they really don't get paid what it is worth but they also do it as a commitment to the community, which is greatly appreciated. My goal is to get volunteer firefighters who are committed and have an incentive to stay; the turnover is the problem.

Perhaps for every year of service then get an extra amount for longevity. Do you want Lisa and Joanne and I to spend a little more time and have it on the next agenda?

Yes

PUBLIC COMMENTS RELATING TO ANY NEW BUSINESS

None

NEW BUSINESS

1. Kama Court Resolution

Motion by Turner, supported by Krueger, to approve the resolution to vacate a portion of Kama Court subject to ultimate disposition in the St. Clair County Circuit Court.

DeBoyer: Want to make everyone aware Mr. Breitmeyer was made aware that there were costs to the Township to make this happen and was in agreement and he has committed to pay the total cost.

ROLL CALL VOTE

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

NAYES: None

ABSENT: Horvath

MOTION CARRIED

2. Resolution to Set Public Hearing of Necessity for Clay Township Fire District

DeBoyer: Now have three fire districts. Board has decided to take the direction of combining them which would allow us to include the out islands on the flats, the Sni, the Middle Channel, Muscamoot Bay, the Doty, Strawberry Island and have an equal assessment across the Township. The out islands are not paying for fire or EMT but our fire departments do respond. Thought it fair to get them involved, and it can reduce costs.

Krueger: Do we have to set the levy amount?

Turner: No just setting Public Hearing

DeBoyer: Do we have to set that Barb (Assessor)?

Schutt: It would be part of the first public hearing and people will be wanting to know.

DeBoyer: Our projected amount was 1.125. Brings Russell Island up, Mainland stays the same, Harsens comes down a little and brings the out islands in and would now be legally deductible.

Motion by Makuch, supported by Shirkey, to approve resolution #1 to set the Public Hearing of necessity for Clay Township Fire District special assessment on June 15, 2009 at 7:00 p.m.

ROLL CALL VOTE

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

NAYES: None

ABSENT: Horvath

MOTION CARRIED

3. Request to Hire Part Time Dispatcher

Chief Drake: Ms. Melinda Strang retiring from County Dispatch and Port Huron Police Department. After review she is number one candidate. Requesting Board approve hiring Ms. Strand as a part time dispatcher with a starting date of May 20, 2009.

Turner: With way economy is for part time positions I think we should see if we have any qualified people in our own Township.

Motion by Makuch, supported by Krueger, to approve the Chief's request to hire Ms. Strang as a part time dispatcher

Shirkey: Have you had any people apply from the community?

Chief Drake: Yes, he was somewhat qualified, has some issues wanted him to look at, which he did, but Ms. Strang by far is the most qualified.

ROLL CALL VOTE

AYES: Makuch, Shirkey, DeBoyer, White, Krueger

NAYES: Turner

ABSENT: Horvath

MOTION CARRIED

4. Interim Fire Chief Compensation

DeBoyer: As you all know, our Mainland Fire Chief has been out and brought in Ed Fowke and subsequently Daryl DuPage. Neither has been compensated. Chief Edler's job was a full time job he was compensated for so want to discuss this with Board. Thought, take Rick's monthly wage and divide it in half because both Ed and Daryl are not full time but they certainly have stepped up and done more than expected to for what they are compensated for.

White: Rick Edler did come by the office and officially agreed Ed and Daryl should be compensated. He wanted it passed on to the Board.

Makuch: Have done a good job and only fair

Shirkey: I agree

DeBoyer: Have done some rounding and it amounts to approximately \$2425.00 per month

Krueger: Be fair to pay hourly rate? Don't want to short or over pay them.

White: Ed did the job for the last three months, not doing it any more. Don't know how could figure hourly.

Makuch: Easier just to pay one half. Money doesn't even cover costs. It is a lot of work.

White: Neither has ever asked what they were going to be compensated.

Motion by Shirkey, supported by Makuch, to pay Ed one half the monthly salary from the back and pay Daryl from the time he incurred the job until Rick Edler comes back.

AYES: All

NAYES: None

MOTION CARRIED

5. H.I.S.C.F.A. Request to Waive Fees

Krueger: MTA saying we don't have ability to do this?

DeBoyer: Limited times we have done this. They are saying when we waive fees we are giving Township dollars away.

Krueger: The last request, I think, was from a church in our community and at that time we said we couldn't.

DeBoyer: I think we did waive them. It needs to be addressed.

Shirkey: The way I read it it is not lawful to waive the fees. Would it be wise to get an opinion from our attorney whether we are violating the law?

Makuch: If it is a question of violating the law then we need to make sure we have our ducks in a row. Think this is a gray area, should also look at what the organization is doing.

DeBoyer: You are not supposed to waive fees at all.

Krueger: It was most of the community based and charitable activities in the Township. We waived a lot of time.

DeBoyer: Have asked other communities, have had two or three different interpretations. One said do not waive fees, cited this information, one said only for non-profitable charitable organizations and a third said they waive for non-profits.

Motion by Shirkey, supported by Krueger, to allow our attorney to look at this to make sure we are following the law.

Krueger: Does the association rent the Brown's Field for the clean up? What are fees going to be?

Mike Kras: Don't know now

DeBoyer: Probably about \$1,000

AYES: All

NAYES: None

MOTION CARRIED

6. Compensation Commission

DeBoyer: Conversation at the budget workshop in regard to elected officials wages. We've seen all kinds of things happen with elected officials compensation. Asking if Board is interested in creating a commission of five (5) residents who would meet twice a year to determine what the compensation should be. Would bring it to the Board, the Board would either accept or reject. If rejected Compensation Commission has to come back.

Makuch: Served on Compensation Commission in Chesterfield Township. Meet every two (2) years, have 45 days to make decision, do comparisons with other municipalities. Do see some inconsistencies in our structure, this would take it out. Basic thing is they come up with a package and make a presentation. Think it is the best way to do it.

Shirkey: This is a lot of to digest in 3 or 4 days. Who other than Chesterfield has a Compensation Commission?

DeBoyer: Cottrellville Township does.

White: Had several phone calls from people who have served on commission, sounds like a pretty common thing.

Shirkey: Still would like to have more time.

DeBoyer: This would not be effective for the upcoming budget. Need time to put it in place.

Motion by Shirkey, supported by Makuch, to postpone this to the next meeting for further discussion.

Krueger: I know how these things work. I hate to throw in more bureaucracy in and I also think it isn't going to solve anything because the Compensation Commission is going to do their due diligence and come to us with figures and you are looking at increases that are fairly dynamic and you're still going to have to vote on you own increase even though it was independently determined.

DeBoyer: But how can I impartially say how much I should make?

Krueger: That's true, it does give you a starting point. We've done it before looking at lists from various municipalities of the same size with full time elected officials and it's going to be raised.

DeBoyer: We can also reject them.

Krueger: But then you fall right back as I understand it, at ground zero.

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DeBoyer: At least they understand we aren't looking to skyrocket our wages

Krueger: Maybe but their job is to do it fairly and they come and the number might be fair but huge for the politicalness of it.

AYES: All

NAYES: None

MOTION CARRIED

PUBLIC COMMENTS

Tom Raymond, Cottrellville Supervisor: Just wanted to come and introduce himself to the Board. Have met with other Supervisors looking for ways we can make improvements and make joint efforts. Looking ways to save money and improve services. Our Township slogan is "We're a busy Township with a positive attitude". We need to cross borders.

DeBoyer: Tom and I have a pretty good working relationship and have met with Ira Township also. In these economic times we have to try to share services and reduce costs.

L. Kasperowicz, 6603 Dyke Rd: Comments on water line and problems with setting water, fees, Township park and funding

C. Miller, 5178 Green Dr: H.I.S.C.F.A. fees, delay on project a concern, if going to hold it up would suggest to put money in escrow. If attorney says illegal you take it; if not illegal and you decide to do it and then decide how we get the money.

DeBoyer: Know a time frame?

Probably by first meeting in June

DeBoyer: Will tell attorney need this yesterday

C. Miller: Association not interested in precedent setting. Have a request and comment; not sure where the jurisdiction for that part of Green Drive or South Channel Drive is no longer M-154. Understand under your jurisdiction for maintenance.

DeBoyer: County. Will be doing road trip with the County and will look at it.

Melvin Sinkel, 9600 Nook Rd: Senior Vice Commander of VFW. Looking for help with flags for cemetery, cost has become prohibitive. Marine City is helping and Algonac is going to also, hope Clay Township will too. Your part would \$333.50

DeBoyer: Please get something in writing to me to discuss with the Board.

BOARD MEMBER COMMENTS

Makuch: Comments on Anchor Bay Drive condition.

Shirkey: Request another Budget meeting and allow citizens to come.

DeBoyer: We set that and post it.

Turner: Do we really need another workshop and that is what the public hearing is for.

Shirkey: Maybe can talk about this compensation

Krueger: We've had one meeting and gone through budget but if somebody has questions. Good to talk about compensation and the fire department administration, etc.

DeBoyer: May 28th at 6:00 p.m. Budget workshop and a Town Hall meeting.

Makuch: Like to see May 28th be a budget workshop and the Town Hall meeting another date.

Lisa: Was nice to see the Russell Island group get together and be at the meeting.

ADJOURNMENT

Motion by Makuch, supported by Turner, to adjourn the meeting at 8:35 p.m.

AYES: All

NAYES: None

MOTION CARRIED

Lisa M. White Clay Township Clerk

Prepared by Dorothy DeBoyer
Clay Township Deputy Clerk