

Minutes of the Clay Township Regular Board Meeting Held Monday August 3, 2009 in the Clay Township Meeting Hall, 4710 Pointe Tremble Road, Clay Township, Michigan

Supervisor 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 John Horvath, Trustee Joanne Shirkey

ABSENT: None

Citizens: 11

BILLS PAYABLE

Motion by Turner, supported by Horvath, to pay the bills in the total amount of \$95,636.92
Shirkey: The Burnham & Flower group for the General Liability comes to \$77,000.00, is that quarterly?

Turner: We pay them yearly.

DeBoyer: That is a reduction over last year, last year was \$91,000.00

Makuch: Mainland Fire Education & Training Argus-Hazco miscellaneous items for \$225.00?

White: Field training for Scot Paks.

Shirkey: Argus- Hazco claim number 141297?

White: All the Scot Paks that were on the fire truck during the accident had to be inspected, going to put that toward the insurance claim

ROLL CALL VOTE

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

NAYES: None

ABSENT: None

MOTION CARRIED

CONSENT AGENDA

Motion by Makuch, supported by Turner, to approve the Consent Agenda with the reading of any applicable communications

Shirkey: Page 2, #6. down where says Shirkey says form, should be from; dollar amount should be \$47,320.00

Clerk White read letter of thanks to the Assessor

UNFINISHED BUSINESS

None

PUBLIC COMMENTS RELATING TO ANY NEW BUSINESS

B. Engel, 9310 Maple Street: Comments on pool donation

Max Richter, 8405 Broadbridge Rd: Comments on removing fluoride from water system

NEW BUSINESS

1. Resolution #4 – Bruckner’s Island Special Assessment to Confirm the Roll

Motion by Turner, supported by White, to approve Resolution #4 Bruckner’s Island, this is a five year spread over 50 parcels, total cost of the assessment is \$28,750.00, total cost collected each year is \$5,750.00, total cost per parcel \$575.00, total cost per parcel per year is \$115.00 and this a renewal of one we already have but it is a lesser amount. It is to be put on the December tax bill with no interest.

ROLL CALL VOTE

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

NAYES: None

ABSENT: None

MOTION CARRIED

2. St. Clair County Council on Aging Request for Contribution

Turner: Every year we do budget for a contribution to Council on Aging

Motion by Turner, supported by Makuch, to approve a \$1,000.00 donation to St. Clair County Council on Aging

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ROLL CALL VOTE

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

NAYES: None

ABSENT: None

MOTION CARRIED

3. City of Algonac Request for Pool Donation

Supervisor DeBoyer read a letter from the Manager of the City of Algonac requesting the Board consider a donation to the pool.

DeBoyer: Don't know why Clay Township stopped making a donation for the pool. Opinion is pool is an asset to both communities. We are here to provide services to the citizens and think a financial contribution is justified. I think it is an asset used by our citizens and it is an asset we need to continue to contribute to for our use. Great avenue for children to learn to swim being a water community. Think we should consider a significant contribution. City recently received a grant from Michigan Department of Natural Resources to up grade the bathhouse to a Universal Access. They need some help with the match dollars.

Turner: Every citizens pays a percentage of their millage for Parks & Recs, we received portion back, been setting on it for several years, has to be spent for recreational programs. We have been saving for our park. How much do they need to match the grant?

Engel: The entire match is \$109,500 +, our committee is now at \$50,000 that we have to raise **Motion** by Turner, supported by Shirkey, to contribute half of that, \$25,000 to go towards the renovation of the bathhouse.

Horvath: Did not like the tone of the City's letter, I think we are being more than generous

DeBoyer: Sometimes people forget why we are here; we're here to do these kinds of things. Be a shame to allow political disagreements or strategic disagreement to interfere with an asset this good. Speaking for myself, I'm prepared to do what we are called upon by our citizens to do regardless of disagreements or animosities.

Shirkey: Agree whole-heartedly

Makuch: First was concerned about money, but when you look at the Parks & Rec and all the money that goes to the County and it comes back, yeah been saving for park, but a lot of people in Township that don't have access to water. Lisa confirmed a lot of people use that facility. The bathhouse needs work. Agree with John, all of a sudden they are very nice but, you can't use the citizens as pawns.

ROLL CALL VOTE

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

NAYES: None

ABSENT: None

MOTION CARRIED

4. Fire Department Request for EMT Class

Motion by Turner, supported by Shirkey, to approve Dean Folkert for the EMT class at a cost of \$900.00

AYES: All

NAYES: None

MOTION CARRIED

5. Request to Purchase Computers

Turner: Our newest computer is 3 years old; with new updates they are very slow. BS&A said computers are not capable to do what needed. Received a quote from Network Connections for \$8,712.00, replacing all nine computers, installation covered under our contract so no extra for installation. These are Dell, Optiplex 360 minitowers.

Motion by Turner, supported by Shirkey, to approve the purchase of nine (9) computers for \$8,712.00.

DeBoyer: Went to Dell website to try to build ourselves, can't do it for this amount

AYES: All

NAYES: None

MOTION CARRIED

6. Health Care Insurance Coordinator

DeBoyer: Have had two presentations; Robbins Group and Burnham & Flower. Connie, Lisa and I disagree, they lean towards Burnham & Flower. They now carry our liability. My argument for Robbins Group is they are from Port Huron. I see some future things possibly could save us some money. They have a program they could possibly insure us and realize a great financial savings, an option to do that when they run the self-insurance through their company versus it just being BC/BS. Long term may be necessary.

White: Burnham & Flower is endorsed by MTA, have done Municipalities for years, have our liability coverage through them. They will do an actuary for us every 3 years at no cost.

Turner: They offer more

White: They have more resources

DeBoyer: They both are going to provide the product at the same cost. It boils down to what you are getting in service.

Turner: Could try one if doesn't work can always change.

Makuch: Do we have to make a decision now? What is the term on what we have?

White: No term

DeBoyer: Minimum have three years to shop by law.

Shirkey: What the difference in cost?

DeBoyer: Identical, it boils down to service provided. From the actuary point of view, we have to maintain a certain amount of contribution for our long-term health care liabilities every year; they do that with no charge. It could cost a couple thousand dollars.

Motion by Turner, supported by Shirkey, to go with Burnham & Flower

DeBoyer: We haven't asked Robbins what they can do for us

Shirkey: Can't we talk to them?

DeBoyer: If we agree to go with them, here's the deal; we're giving you the business because you're local, but we're expecting the same amount of service.

Krueger: Didn't realize this was about picking the plan. I didn't compare the two, not ready to make a decision, would like to go back and look at both. Should go back say you're both real close, can there be any movement and make a decision next Board meeting. Need to ask questions before we make the choice.

Horvath: We're here to cut bucks, they are both quality.

DeBoyer: We have a motion and support to go with Burnham & Flower

Shirkey: Is the offer good for a year?

White: Could be month, in a month we could chose to change.

DeBoyer: It is an agent of record, the premium is the same; it is the benefits after that.

Krueger: What is the open enrollment date?

White: January, they are in a push to get us to decide because they want to go out and research different plans. Because we are under 100 people they don't have access to our medical history. Once they are agent of record they get the information and give us the best plan.

DeBoyer: One of things liked about Robbins Group they offer a self-insurance plan. They bring you in for a year and then make an assessment of how your money is spent. Can then turn you into a self-insured that would be same coverage. The first year premium would be equal to Blue Cross, the second year would be based on any savings they could incur, the third year you can go back if you want to but if there is a savings because they now know your history you can take advantage of it. I like because it is a long term thinking process.

Shirkey: Burnham & Flowers do something like that?

DeBoyer: Don't offer it

ROLL CALL VOTE

AYES: Turner, White, Shirkey

NAYES: Makuch, Krueger, DeBoyer, Horvath

ABSENT: None

MOTION FAILED

Krueger: Nothing against Burnham & Flower, just like to see more information

DeBoyer: By next meeting have to make a decision, all have presentation packages.

Makuch: If can get some clarification, nay vote based on not making decision now

7. Discussion of Garbage Company Fuel Charge

DeBoyer: Did not put anything in package, data very sketchy. In contract if fuel increases over \$2.50 gallon, they can charge a fuel surcharge; also maximum 3% cap of total annual cost. Paid \$8,429.85 last year, July 2008. In August, September and October also billed, didn't pay those. If we exceeded the \$2.50 continuously for the entire year the maximum they could charge is about \$14, 500.00 annually. When you added up their invoices it is about \$50,000.00, which we

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did not pay. Been contacted, explained the cap, asked for supporting documentation. They sent it and they go back to the 2006/2007 fiscal year, then the 2007/2008 fiscal year and the 2008/2009 fiscal year. With a total of \$28,337.00 of which we have paid \$8,400. That is exercising the 3% cap. Problem I have is the first bill we ever received was July 08, now they want 2006/2007. How do you come back three years later and ask us to pay, that budget year is closed. Here is other issue; the 2007/2008, which we paid, would have been \$14,640.00.

2008/2009 should have been \$6,822.90, which is technically legitimate, it's under the 3% cap and the fuel increase justified it. Do we go back and say we'll satisfy the 08/09 budget, the \$6,800 and this is all you're going to get with what we paid for the \$8,429.00 for the 07/08 year?

Horvath: Why are we paying the surcharge? When I do a job and I miss something, I eat it.

DeBoyer: Had a meeting, said, "You're asking Clay Township to participate in your downside risk. You're the person who owns the company and making the profit". I came from an industry that did a lot of shipping and purchased commodity, I was bound by the contract.

Makuch: Contract was agreed to, if you sign the contract you live by the contract. You can argue for the 07/08 it was paid, would let that one go, would pay the 08/09 but anything previous to that, you didn't bill me for it, so forget it. When we renegotiate it can look at it.

Krueger: Said the surcharge kicks in when the rates go over \$2.50; the index is for just when it goes over?

DeBoyer: There is a credit back if it goes under. They show the credits for when it's under. The Board would like me to send them an email and say send us an invoice for 08/09 and then I'll send a letter saying, the \$8,429.00 we paid to you over a year ago but we will satisfy last year of \$6,822.00.

Makuch: We need an invoice and need it now.

Horvath: Has to be clear we don't owe for the past Board's action.

Krueger: Why did they say the bills came in so late?

DeBoyer: Didn't have an answer, internal.

Krueger: Say anything in contract about timing?

DeBoyer: Says once annually.

DeBoyer: Need to set our public hearing date for Police, Fire and Garbage that we do annually. Would like to amend the agenda to set the public hearing date, the 17th of August

Motion by DeBoyer, supported by Shirkey, to amend the agenda to add the item for Police, Fire and Garbage Special Assessment

AYES: All

NAYES: None

MOTION CARRIED

Motion by Turner, supported by Makuch, to set the date for August 17, 2009 at 6:45 p.m for the Public Hearing.

AYES: All

NAYES: None

MOTION CARRIED

PUBLIC COMMENTS

Cindy Zyrek, 353 Colonial Lane, Algonac: New Director of the Greater Algonac Chamber of Commerce

B. Engel, Maple: Thanked Board for donation

D. Cole, 7251 Audubon: Any movement on boat?

DeBoyer: Letter has been sent

2802 Pointe Tremble Rd: Comments on drain

DeBoyer: Will be out tomorrow to look at it

BOARD MEMBER COMMENTS

Shirkey: Want to thank Barb for hard work in assessor's office. America's Town Meeting sponsored by National Association of Towns and Townships their national convention is in Washington and Michigan is the focus state this year and think our Supervisor should go and represent Clay Township. Are you game to do that? Need to get the money in.

DeBoyer: Yes, can have on next agenda.

White: Enough time?

Krueger: Rates effective until August 11th.

Makuch: Go ahead and do it and then have as an agenda time and if no can cancel.

Krueger: Any of representatives going?

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DeBoyer: Emailed Candace Miller, haven't heard back; Levin and Stabinaw going.

Krueger: Planning Commission approved a Special Approval Land Use for Kroger gas station.

Makuch: On the recycling, we need a chipper. Spending a lot of money.

Horvath: Need to get bids

DeBoyer: Want to talk about taking a Board Meeting a quarter on Harsens Island. Harsens Island Field day was a success.

ADJOURNMENT

Motion by Turner, supported by Krueger, to adjourn the meeting at 8:30 p.m.

AYES: All

NAYES: None

MOTION CARRIED

Lisa M. White
Clay Township Clerk

Prepared by
Dorothy DeBoyer
Deputy Clerk