

Minutes of the Clay Township Dangerous Building Commission meeting held on Wednesday, October 14, 2009, at the Clay Township Meeting Hall, 4710 Pte. Tremble Rd., Algonac MI.

Chairman Uschwald called the meeting to order at 2:00 p.m.

Roll Call: Leonard Uschwald, Jim Miller, David Salvador, John McQuade, Daryl DuPage, & Jay DeBoyer. Excused: Mary Kot, Georgia Williams, & Don Drake.

Also Present: Michael J. Kras, Building Official.

Motion by Miller, supported by Salvador to approve the minutes of August 12, 2009.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

Chairman Uschwald: We are going to take the cases first where the citizens are present, so they will not have to wait. Therefore, some of the cases will be out of order from the agenda to accommodate the public.

#### **UPDATES:**

**DB-2008-021                      JOHN/SHARON MC LANE                      2095 COLUMBINE**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: This building is in dire need of repair. Mr. McLane had previously asked for more time and he is here today to give an update.

Mr. McLane: I haven't done too much and only working on it when I get a chance.

Miller: What is the hold up on the repair?

Mr. McLane: Just been trying to make enough money to pay my taxes and survive. Building is not in danger of falling down and the roof portion that was caving in has been taken off. It is a barn for animals. Building will be repaired before winter.

Motion by Miller, supported by Salvador to table case #DB-2008-021 until the December 2009 meeting.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

#### **STATEMENT OF PARTICULARS:**

**DB-2009-008                      MICHAEL MURLEY                      74-14-937-0132-000 BALTIMORE HWY.**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: This building has been there for many years. It is wide open and in a very distressed state. My recommendation is to hold a Showcause Hearing in 60 days.



Kras: This is not a distressed property, but the fact is they do not have a septic field on this property and they have placed a trailer on this property and we do not know where the septic is going and the building they have placed on the property does not meet the criteria of the ordinance. I recommend a Showcause Hearing in 60 days as to why this building should not be removed.

Motion by Millerr, supported by McQuade to have a Showcause Hearing on case #DB-2009-012 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.  
MOTION CARRIED.

**DB-2009-013                    BRIAN/LAURA KLOVSKI                    8675 NORTH CHANNEL DR.**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: The dangerous building on this property is the accessory structure in the rear of the property. I recommend a Showcause Hearing in 60 days.

Motion by Salvador, supported by Miller to have a Showcause Hearing on case #DB-2009-013 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.  
MOTION CARRIED.

**DB-2009-014                    ERIC/SHELLY REIM                    8945 NORTH CHANNEL DR.**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: This building is open and vacant. I recommend a Showcause Hearing in 60 days.

Motion by Miller, supported by McQuade to have a Showcause Hearing on case #DB-2009-014 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.  
MOTION CARRIED.

**DB-2009-015                    FRANK HEINZMAN                    74-14-937-0017-000 DOTY HWY.**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: This building has openings in the roof and is very distressed. I recommend a Showcause Hearing in 60 days.

Motion by McQuade, supported by DeBoyer to have a Showcause Hearing on case #DB-2009-015 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.  
MOTION CARRIED.

**DB-2009-016                    PETER W. MEEK TRUST                    74-14-937-0009-000 SNI BORA**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: This property is also in a distressed state. It looks like it could be repaired very simply, but they just allowed the roof and front porch to fall in. I recommend a Showcause Hearing in 60 days.

Motion by Salvador, supported by Miller to have a Showcause Hearing on case #DB-2009-016 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

**DB-2009-017                      ANNIE PARR ET AL                      74-14-937-0018-000 DOTY HWY.**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: This property is also in distress and disrepair. I recommend we have a Showcause Hearing in 60 days.

Motion by Miller, supported by McQuade to have a Showcause Hearing on case #DB-2009-017 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

**DB-2009-018                      JEFFREY DUCEATT                      6040 HIGH ROAD**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: This building was on Dangerous Building before and a permit was pulled to demolish the building, but it has never been taken down and is still standing. We had 3 contractors tell us that they were going to remove it and nobody has done the job. So I have put the building back on Dangerous Building and I recommend a Showcause Hearing in 60 days.

Motion by Salvador, supported by Miller to have a Showcause Hearing on case #DB-2009-018 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

**DB-2009-019                      JOSEPH/NANCIE TERRY JR.                      74-14-937-0180-000 SNI BORA**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: I talked with this gentleman on the phone and he basically said he was going to repair the boathouse. I told him we would give him some additional time at the Showcause Hearing as that is the next step in the procedure. I recommend a Showcause Hearing in 60 days.

Motion by Miller, supported by McQuade to have a Showcause Hearing on case #DB-2009-019 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

**DB-2009-020            ST. CLAIR CO. TREASURER    2675 KRISPIN ROAD**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: There are two buildings on this property. One is an old trailer that is in very bad shape. It is never going to be repairable. The garage is in just as bad a shape as the trailer. I recommend a Showcause Hearing for the main structure (trailer) in 60 days.

Motion by Miller, supported by Salvador to have a Showcause Hearing on case #DB-2009-020 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

**DB-2009-021            ST. CLAIR CO. TREASURER    2675 KRISPIN ROAD**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: I also recommend a Showcause Hearing for the accessory structure on the property in 60 days.

Motion by McQuade, supported by Salvador to have a Showcause Hearing on case #DB-2009-021 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

**UPDATES:**

**DB-2004-024            MARY BETH ANDRES ET AL    8602 MIDDLE CHANNEL DR.**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: This case can be dismissed as there are new owners for this property. They are Greg and Laura Janski and they own the property next door. They have advised me they will be tearing down the structure.

Motion by Miller, supported by Salvador to dismiss case #DB-2004-024.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

**DB-2008-007            ALEX./MARCY BARJRASZEWSKI 5571 PTE. TREMBLE RD.**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: I just talked to this gentleman and he said he is having a difficult time getting a Soil Erosion Permit from the County. I am going to ask for a 60 day extension and push to get this down before winter.

Motion by Salvador, supported by Miller to table case #DB-2008-007 for 60 days.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

**DB-2008-018**

**EGON SYSTERMANN**

**7929 PERRY HIGHWAY**

Chairman Uschwald called Mike Kras, Building Official as first witness to this case.

Kras: Mr. Systemann wrote us a letter basically stating that his finances have not changed. He did take off the damaged part of the roof that fell in. The building is still in much disarray. We have given him 4 extensions already. I recommend we just proceed with this case.

Motion by Salvador, supported by Miller to perform a Findings of Fact and issue an Order of Compliance through the township attorney's office on case #DB-2008-018.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

**MEMBERS COMMENTS:**

Mike Kras explained to members about several different grants that SEMCOG has applied for to help clean up the properties owned and leased by the State of Michigan that are out in the flats. Members also discussed with Mike Kras about a building on Middle Channel Drive and new ordinances that are being drafted.

**ADJOURNMENT:**

Motion by Salvador, supported by DeBoyer to adjourn the meeting @ 3:00 pm.

AYES: ALL. NAYS: NONE. Excused: Kot, Williams, & Drake.

MOTION CARRIED.

Respectfully Submitted,

Patty Watson  
Recording Secretary