

**CLARK TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
SEPTEMBER 19, 2018 AT 8:00 AM**

Call to Order & Pledge of Allegiance: 8:00 AM

**Roll Call: Present – Patton, Sherlund, Clymer, Rutledge.
Absent – Schuster**

Others Present: Dennis Wenzel, Eric Doerr (St. Ignace News), Julie Smith.

Approval of Agenda

Clymer added maintenance agreement with Lake Savers to New Business.

***Motion: Patton made the motion to approve the agenda as amended adding the Lake Savers’s maintenance agreement to New Business. Sherlund supported.
All Ayes. Motion carried.***

Consent Agenda

Minutes: 8-15-18 and 9-7-18

General Fund Invoices

Kitch Drutchas Wagner & Associates	1,269.30
UP Engineers & Architects	7,733.30
Whiteside Title	500.00
Governmental Business Systems	1,409.00
Evashevski Law Office	<u>180.00</u>
TOTAL	11,091.60

Sewer Fund Invoices

Bruce Lane	10,780.00
Finest Septic Service	7,000.00
Rudy Sherlund, Inc.	5,330.00
Redmond Environmental	<u>8,881.16</u>
TOTAL	31,991.16

***Motion: Sherlund made the motion to approve the Consent Agenda. Rutledge supported.
All Ayes. Motion carried.***

Treasurer’s Report

Sherlund reported that the General Fund bank balance is currently \$452,144.61 and the Sewer Fund balance is \$320,375.73.

Our summer tax season is over with a mad rush at the end. Looking back at last year, it was noted that 82% of our residents paid their taxes on time and this year that amount increased to 89% paying on time.

The Hessel Marina is on fall hours now and still keeping busy.

The banners at the Snows Heritage Park have been taken down now for the winter to prevent them from damage from cold and winds.

Supervisor's Report

Cedarville Harbor – at our last board meeting, we approved bid packages 1,3,4,and 5.

We got verbal approval from the Michigan Natural Resource Trust Fund to contract.

So now we first have the notice of awards to print up and then upon approval of WaterWays, we will notify the Contractors that they have been awarded the bids and then we prepare the contracts. Once the contracts go out, the Contractors need to sign and return them along with providing a performance bond, a payment bond, and proof of insurance and workmans' comp insurance. We are also working on a soil erosion permit for the project.

Hill Island Bridge – is on schedule. Notices have been posted concerning the September 30th closure and letters will be mailed out.

Airport Survey – fieldwork has been completed in preparation for T-hangars and upgrades. Clymer is working with Senator Bergman to get on the NPIAS list in the hope to become eligible for funds for airport improvements and long term maintenance in the future.

Classes have started for pilot licenses.

MNRTF Grant / Hessel Parking Lot – is moving forward in the pre-evaluation period.

We are hoping to have some onsite work done by Friday, Sept. 21st.

Mission Cemetery – Clymer is meeting with a group from the Sault Tribe later today.

Great Lakes Islands Conference – this conference is planned for October 1 and 2. Gary Reid has expressed interest in attending. Clymer inquired if the Township has a plan for non-employees in reference to attending and travel expenses. We do not have a policy in place at this time.

Sewer Lagoon Aerators – are installed. All went smooth and functioning well.

ZBA Class – is coming and will be held in Kinross on October 30. Clymer is encouraging both the ZBA and Planning Commission members to attend. Patton and Rutledge will follow up.

Road Commission Vehicles – Clymer has been informed that some vehicles will be coming available for purchase. He will get the information to Sherlund for consideration for possible use for snowplowing at the airport etc.

Correspondence

DEQ Notice of Authorization for Michelle Parsons for fill materials.

Committee / Commission Reports

Planning Commission – Patton reported that they approved a case for Hill's property based on the approval of the ZBA.

Sewer Advisory Board – did not meet.

Fire Department – Jack Otstot submitted his final report along with a report with information to help us determine possible billing charges for various services. Chet Kasper III forwarded a copy of the minutes from their officer's meeting to the Clerk's office and Rutledge included a copy of this for the Board to read. The Fire Dept. is also looking for recruits and all applicants will be referred to the Clerk's office for a background check and driver's license review prior to becoming a Twp. employee.

Recreation Committee – did not meet.

Zoning Board of Appeals – no report.

Old Business – None

New Business

Auditor's Suggestions

Fund Number - Rutledge explained that our current Road Fund is numbered 201 and needed to be changed to 204. She made all the journal entries and changes and included a copy of the report for all.

Fraud Policy - we currently have a Fraud Policy on file, however, it was suggested to add the word "Whistleblower" to the paragraph concerning confidentiality.

Comp Time Policy - it was suggested that new employees could build "comp" time and use it (when they need to make appointments for example) before they actually qualify for vacation time. This needs to be noted and changed in the employee policy manual.

Office Supply Vendor Rewards – are permissible to accept if the product can be used in any of the departments of the Twp. and/or these products can be donated to our Christmas party as a give-away gift or Lion's Club for their fund-raiser example.

Payment in Lieu of Health Care – currently both insurance premium payments and opt-out payments are being charged out of the same line item in the budget.

According to the State of MI Uniformed Chart of Accounts, these need to be reported separately. Rutledge reported that she has already rectified this in our budget and created the appropriate line items and numbers.

Invoices – the Auditors noticed that on one of the invoices that they randomly selected to look at the amount was "whited" out. They questioned if this was done by our office staff. They were informed that this was how the invoice was received and it was done by the Vendor and that we **do not** alter the invoices once we receive them unless we discuss it first with the Vendor and when that happens, we note it on the invoice, date, and initial it.

Motion: Sherlund made the motion to update the Fraud Policy to include the word Whistleblower. Patton supported.

Roll Call: Yes – Clymer, Rutledge, Sherlund, Patton. Motion carried.

Motion: Patton made the motion to approve the addition of comp time to the employee policy manual. Sherlund supported.

Roll Call: Yes – Rutledge, Clymer, Patton, Sherlund. Motion carried.

Motion: Sherlund made the motion to accept the office supply vendor rewards policy.

Patton supported. Roll Call: Yes – Clymer, Patton, Rutledge, Sherlund. Motion carried.

Bids for Fire Dept. Turn Out Gear

The Fire Dept. started a list of the gear that they are looking at to start purchasing with the millage money that will be collected in December 2018. This is primarily for the Board's information.

Cedarville Harbor – Bid Package #2 Approval

Clymer presented an updated version of Package #2 in the amount of \$227,789 but it is still going to be over budget. He feels that this either needs to be re-bid, or we go back to Breezeswept and Olsen & Olsen and renegotiate. Sherlund made the suggestion that Flotation could attach the docks directly to the shore. We could leave the current launch ramp there and add the extension and another ramp. The rip-rap was approved already. We could re-bid as 2 or possibly 3 separate items.

Motion: Sherlund made the motion to reject Bid Package #2 – items #2 and 8.

Rutledge supported. Roll Call: Yes – Clymer, Patton, Sherlund, Rutledge. Motion carried.

Motion: Sherlund made the motion to split Bid Package #2 into 3 parts.

Item 2: the ramp portion – extending the existing ramp, adding an additional ramp, and on the side of the additional ramp, adding minimal shoreline stabilization such as grass.

Item 8a: the cribbing as bid and presented by Breezeswept, and

Item 8b: eliminating the cribbing and stabilization but providing the anchoring for the docks and connection to the pavement. Patton supported.

Roll Call: Yes – Rutledge, Clymer, Sherlund, Patton. Motion carried.

10% Advance for Contractors That Begin Work in 2018

Clymer felt that this might encourage them to get started yet this year.

No action taken.

\$10,000 Commitment to Close Shoberg Parcel

Purchase price for the property is \$20,000. Clymer applied and received \$5,000 in grant money from the Community Foundation and Richard Shoberg reduced the property by \$5,000 to match the grant money. Clymer is now requesting approval for \$10,000 to purchase the property. Sherlund and Rutledge inspected the property and felt it would be a good purchase. This property also offers potential parking opportunities.

Motion: Sherlund made the motion to approve \$10,000 plus the closing costs to purchase the property from Richard Shoberg. Patton supported.

Roll Call: Yes – Rutledge, Clymer, Sherlund, Patton. Motion carried.

Option to Drop Christian Case

Referring to the road end that runs through their property, in 1928 the Board approved to accept this road end. Christians will allow a footpath at this time. We have been counseled to drop the case and try to negotiate something in the future.

Motion: Sherlund made the motion to accept our legal counsel's advice and drop the case.

Rutledge supported. Roll Call: Yes – Clymer, Rutledge, Sherlund, Patton. Motion carried.

Smith Sanitation Contract Amendment / GFL Environmental Inc. (Green For Life)

Smith Sanitation has been sold to GFL and the new company has submitted a consent resolution to accept all terms and conditions of our recycle contract that was contracted and accepted by Smith Sanitation for the next 5 years.

Rutledge offered the following Consent Resolution supported by Patton:

WHEREAS: in connection with the sale of the waste management business of Smith Sanitation to GFL, Smith Sanitation wishes to assign all of its right, title and interest in and to the Contract to GFL and GFL agrees to accept the assign of the Contract from Smith Sanitation; and

WHEREAS: pursuant to section XIII of the Contract, Smith Sanitation shall not be permitted to assign the Contract nor any of its rights and duties therein without the prior written consent of the Township, such consent not to be unreasonably refused by the Township;

NOW THEREFORE BE IT RESOLVED: for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned hereby agrees as follows:

- 1. The Township hereby consents to the assignment of the Contract by Smith Sanitation to GFL and both Smith Sanitation and GFL shall be entitled to rely on this Consent.**
- 2. All terms and conditions of the Contract shall continue in full force and effect and un-amended except as provided for in this Consent.**
- 3. This Consent may be executed and delivered by facsimile or other electronic means and when so executed and delivered shall have the same effect as an original.**

Roll Call: Yes – Sherlund, Rutledge, Clymer, Patton. Resolution Adopted.

Appoint Cal Burnside

Previously Cal has served as our Enforcement Officer for parking. He was unavailable for this past summer and Clymer and Dave Murray did write a few tickets. The idea is that Cal could assist Ken Waybrant with blight and other zoning issues along with parking. He has already stepped up and stopped some offenders but did not feel he had Twp. authority to do anything about it. He is not asking for pay for this position, however, he would like to have business cards showing his title and that the Twp. give him the authority and issue a book of tickets that he can write out and give to offenders.

Motion: Sherlund made the motion to appoint Cal Burnside as a Zoning Officer without a salary. Rutledge supported. Roll Call: Yes – Clymer, Patton, Sherlund, Rutledge.

Motion carried.

Zoning Enforcement Budget - \$1000

No Action Taken - Tabled

Phone Service for Airport

Rutledge will follow up and order phone service with DSL and WiFi but will not include long distance. This will also go hand in hand with our new security service.

Motion: Rutledge made the motion to order phone service with DSL and WiFi for the airport but no long distance. Sherlund supported.

Roll Call: Yes – Clymer, Patton, Sherlund, Rutledge. Motion carried.

Discussion opened concerning the leases for the pilots. Clymer informed the Board that it is still in process. Loren Sattler, Chris Mast, John Hessel, and Nick Fairchild will all sign a lease with payment due quarterly on the first day of the quarter and each pilot will be accountable for any damage to any of the planes while “juggling” around - if that occurs.

The question also came up concerning a rental charge in the amount of \$100.00 for the Sheriff’s department having an office in the airport building. The Board was split on making this decision. Clymer will follow up and felt that Schuster should also be consulted.

Julie Smith informed the Board that she thought there is an agreement for the use of the office space and will see what we have on file.

No action taken.

Open Invoice with Rebelyon for Airport Lights

There was a conflict with the understanding and/or wording of the snowplowing agreement and the damaged lights. Donald Moore has proposed paying 50% of the invoice as it was not clear as to what lights were covered under the agreement.

Tabled - No action taken at this time.

Discussion continued that in the future, pictures and documentation and early detection of damage needs to be reported.

Mackinac County Road Commission – Match Agreement

The project is to clean out the ditches on Park Ave. and replace culverts. After discussion, the Board felt that the amount of culverts were 4 instead of 8 and the price of the project should be re-negotiated. Clymer will follow up.

Motion: Sherlund made the motion to amend the agreement to 4 culverts replaced instead of 8 and adjust the project cost to not exceed \$20,000.00 instead of \$24,030.00.

Patton supported. Roll Call: Rutledge, Clymer, Patton, Sherlund. Motion carried.

Lake Savers Maintenance Agreement

Clymer explained that there have been a few issues with the lagoons since last spring and their initial installation. He felt that a service agreement with them would be very beneficial.

Sherlund had questions concerning the maintenance and wondered if our own workers could be doing the work. Could they be given the instructions and follow them. All agreed this should be look into.

Tabled – no action taken at this time until Landreville could be consulted to get his input.

Public Comment: none

Adjournment: 10:15 AM

Motion: Patton made the motion to adjourn the meeting. Rutledge supported.

All Ayes. Motion carried.