

**CLARK TOWNSHIP BOARD OF TRUSTEES  
REGULAR MEETING  
FEBRUARY 17, 2021 8:00 AM**

**Call to Order & Pledge of Allegiance: 8:09 AM**

**Roll Call: Present- Virtual meeting: Clymer, Fitzgerald, Rutledge, Schuster (by phone Florida), Patton**

**Others Present: Paul Hitchens, Erin Evashevski, Clark Township Attorney (by phone St. Ignace), Matt Thompkins EMC Insurance (by phone St. Joseph), Illyene Pickles, Deputy Clerk.**

**Inquire if Public Comments are to Address Agenda Items: Paul Hitchens is concerned about voter fraud, charging the Sherriff's Department rent on the office they use at the airport, and tiny houses.**

**Approval of Agenda:**

**Motion: Patton made the motion to approve the Agenda as amended. Rutledge supported. All ayes. Motion carried.**

**8:13 - Meeting went into closed session.**

**Motion: Fitzgerald made the motion to go to closed session to consult with the township attorney to discuss a settlement strategy in connection with impending litigation. Rutledge supported. Roll Call: Yes -Patton, Fitzgerald, Clymer, Schuster, Rutledge. All ayes. Motion carried.**

**8:24 - Meeting came out of closed session.**

**Motion: Patton made the motion to accept the settlement amount of \$130,000 on the Scott Sherlund/Sandra Tassier lawsuit. Rutledge supported. Roll Call: Yes – Clymer, Patton, Fitzgerald, Schuster, Rutledge. All ayes. Motion carried.**

**Consent Agenda:**

- Approve meeting minutes from January 20, 2021.
- Invoices General: \$1,054.07 and Sewer Fund: \$6,424.02.
- Service Contracts: None
- Special Events: None
- Budget Amendments: Reviewed and approved

**Motion: Fitzgerald made the motion to approve the Consent Agenda. Patton supported. All ayes. Motion carried.**

**Correspondence:**

- Six (6) EGLE Permits/Authorizations/Requests: Betty Dix, Tory Lopes Gomsrud, Jeff Rogers, Loren Sattler, Jessica Molly Snyder, Clark Thomas.
- The township received a letter from Dick Nye thanking the sewer department employees for their speedy service regarding a sewer issue that he had at his house.
- An application for the Clark Fire Department from Patrick Duman.

**Motion: Patton made the motion to approve the application from Patrick Duman for Clark Township Fire Department. Fitzgerald supported. All ayes. Motion carried.**

## **Old Business & Updates**

### **New Business**

1. E-1 Pumps – Jim Landreville was able to negotiate a special price last year from Dubois-Cooper. Jim has a list of additional supplies that the township will need from Dubois-Cooper.

**Motion: Patton made the motion to fulfill the agreement of purchasing 15 (fifteen) pumps from Cooper-Dubois. Rutledge supported. Roll Call: Yes-Schuster, Rutledge, Fitzgerald, Patton, Clymer. Motion carried.**

2. Breezeswept Resolution - There is a motion from Breezeswept regarding a dock at the Roland residence that Breezeswept would like to replace the cribs. The existing boat house will remain in its current location.

**Motion: Fitzgerald made the motion to approve the motion by Breezeswept to replace the cribs at the Rohlen residence. Patton supported. Roll Call: Yes-Clymer, Patton, Schuster, Fitzgerald, Rutledge. Motion carried.**

3. Poverty levels – Sherry Burd has provided an attached schedule of poverty guidelines for this. Clymer added that we needed to reapprove the Board of Review Members due to the statutory 10 (ten) days to swear in. Some members did not make it in by the designated time.

**Motion: Patton made the motion to approve the Poverty Guidelines and reappoint the Board of Review Members. Fitzgerald supported. Roll Call: Yes-Schuster, Fitzgerald, Clymer, Patton, Rutledge. Motion carried.**

4. Skid Piers at the Cedarville Marina – Clymer said that the township received an updated price from Joni from Cedarville Marine last November. The township is waiting on a response from Waterways regarding the grant application. Clymer said that we are in a situation where the township needs to order them soon if we want them to be in place for this summer, yet the township does not have the grant monies yet. Clymer said ideally, they should have been ordered last fall. Patton said that the township does not have the money to put out now for this project especially since the sewer system is a bigger issue. Fitzgerald agreed that we should focus township funds on the sewer issues first. Rutledge suggested to table this issue until next month.

## **Treasurer's Report**

General Fund: \$401,882.06

Sewer Fund: \$93,904.10

Fitzgerald said that the township needs to get the sewer rate increase information out to the public as soon as we can. Fitzgerald said that she can put the necessary information on the Treasurer's Facebook page for now. Schuster asked Fitzgerald if the sewer fund of \$93,904.10 is minus the amount for the pumps. Fitzgerald said that the sewer fund will be down to around thirty thousand after the payout, but the township will have more revenue from the March utility bills.

**Supervisor's Report** – Clymer said that regarding the township's previous conversation about the LMAS permitting for soil erosion and sedimentary control, Ken Waybrant is going to continue to issue building permits when he has a copy of the applicants LMAS application as well as photos of a silt fence. Patton said has anyone contacted LMAS regarding this matter. Clymer said that is between LMAS and Ken.

-Erin Evashevski, the township attorney has drawn up a partial release agreement for parcels 4, 5 and 6 at the industrial park. Donald Moore will need to sign the release agreement then the township will record it. Sherry Burd will have documentation to take the parcels off the tax roll. Clymer said the parcels are back in Clark Township's name.

-Clymer had a meeting last week and there is interest in putting up hobby barns in our community. Board members inquired on what exactly is a hobby barn. Clymer said that hobby barns are basically a structure for personal use that might include a small living quarter. Clymer said the hobby barns are already being allocated in Michigan. Clymer asked if the township would like to look at the industrial park for these. Patton said from the Planning Commission standpoint there are specific ordinances and rules for structures in place. Patton said ordinances would have to be changed and that would create a lot of work. Patton said that ordinances state there is no storage at the industrial park. Patton will bring this matter to the Planning Commission for further discussion. Schuster agreed the Planning Commission should discuss this further. Hitchens said that the three parcels that the township owns at the park should not be sacrificed for personal gains. Hitchens said that there are deed restrictions in place.

## **Committee/Commission Reports**

Airport Committee- Did not meet.

Ambulance Corp- Report given.

Code Enforcement Officer- Written report given at meeting with points of interest. Cal Burnside reported 2 concerning incidents involving vehicles with no plates. The first incident at the airport, a vehicle was taking pictures of the runway. The second vehicle, at Clark Township, was taking pictures of the security cameras.

Fire Dept – Report Given - Incidents 2 for 2021. Application accepted for Peter Duman. CSI, the company that performed the bodywork on Engine 3, conducted pump tests on Engine 3 and 4. CSI reported that using their test criteria, Engine 3 needs a rebuilt pump and Engine 4 needs a new pressure relief valve, a second opinion will be obtained from R and R, our usual certifier. Costs start at \$22,000. Jason Dunn presented information on his project to acquire funds to purchase a fire boat for the department. Jason has raised about 84% of the funds needed and is ready for input from the fire department.

Heritage Park- Did not meet.

Hessel Harbor Committee- Clymer said there is a set of tentative plans at the township hall for the Hessel Harbor for viewing. Clymer will be working with Max Heil, the harbor master, in the spring this to further the plans for the harbor. There are 4 (four) different grants with a match required available for this project due by April 1<sup>st</sup>. Clymer said that discussion on the grants will be discussed at the March 17<sup>th</sup> meeting at which time the Board will need to make a decision.

Planning Commission – The annual report was submitted. Patton said the Planning Commission has discussed hobby barns and tiny houses but need further discussion. There are ordinances in place that need to be revisited regarding these matters. Patton said that the Planning Commission is not against tiny houses. Hitchens said that that individuals that want tiny houses would have to approach the Township Board for a variance to apply for a permit. Hitchens and Clymer said there is a minimum size of square feet regulated by the Zoning Board. Hitchens voiced his concern for affordable housing for our working community members. Patton said the Planning Commission will submit their recommendations on the noise ordinance to the Township Board next month.

Recreation Committee- Did not meet. The Trails Committee did meet to discuss ways to apply for a grant. The DNR has offered up a \$35,000 match for the Township to utilize for the loan application process.

Sewer Advisory Board- Clymer said that the Sewer Advisory Board has identified several variables on the sewer back up issue. The grinder pumps location and elevation could be a variable in the sewer back up. Another variable is the pump was on a lower grade from the house, so the easier route was to back up into the house, than overflow. Clymer has asked the engineers to investigate these two variables. Clymer added that the Township might have to move several grinder pumps to avoid this happening in the future. Fitzgerald asked who would be responsible for the cost of moving them. Clymer said it would be on the Township. Clymer added that the township could include it into the USDA refinancing part of the loan to cover the cost.

**Public Comments:** Hitchens discussed his concerns about voter fraud. Hitchens said he would like a forensic analysis on the Dominion Voter Machine. Hitchens said that this is public information and Dominion should not deny access to the machines. Hitchens said that Dominion is violating his civil rights by refusing to give access to the machines. Hitchens voiced concerns about an occupant at the airport that is storing personal property which is a violation of the deed restrictions. Clymer said that he will investigate into this matter. Hitchens said that he thinks that there is discrimination against tiny houses. Clymer said that ordinances were in place regarding tiny homes because there was concern over mobile homes taking over the community. Hitchens voiced concerns regarding Air BNB house rentals in our community, they open the doors for illegal activities.

**Adjournment: 9:35 A.M.**

**Motion: Fitzgerald made the motion to adjourn meeting. Patton supported.**

**Motion carried.**