

CLARK TOWNSHIP BOARD OF TRUSTEES

REGULAR MEETING WEDNESDAY, FEBRUARY 21ST, 2024

AT CLARK TOWNSHIP OFFICE 207 N. BLIND LINE ROAD, CEDARVILLE, MI 49719

CALL TO ORDER & PLEDGE OF ALLEGIANCE: Pledge of Allegiance recited. Clymer called the meeting to order at 8:02 a.m.

ROLL CALL: Present; Fitzgerald, Clymer, Rutledge, and Kozma. Schuster Absent.

Schuster was on a speaker phone.

OTHERS PRESENT: Paul Hitchens, Noel Weaver, Robert Lohff, Dennis Wenzel, David Murray, Tim McConkey & Cris Roll (SDL Board), Mark Merchberger, John Hessel, Paula Badour (Deputy Supervisor), and Linda Sherlund (Deputy Clerk).

INQUIRE IF PUBLIC COMMENT ARE TO ADDRESS AGENDA ITEMS:

APPROVAL OF AGENDA:

Fitzgerald made a motion to approval agenda with changes. Kozma seconded the motion. All in favor. Motion carried.

APPROVE MINUTES:

January 17th, 2024, Regular Board Meeting and January 26th, 2024, Special Board Meeting.

APPROVE INVOICES:

GENERAL FUND: \$369,250.36

SEWER FUND: \$37,230. 65

SERVICE CONTRACTS: None

SPECIAL EVENTS: None

CONSENT AGENDA: Fitzgerald made a motion to approve the consent agenda. Kozma seconded the motion. All in favor. Motion carried.

CORRESPONDENCE:

EGLE Notice of Authorization:

Approved 3-20-24, regular meeting

Susan Rutledge

Mark Clymer

Lisa Fitzgerald, Hessel Marina: 49-3023 W. Lake Street Hessel - Ramp and Floating Dock

Tom Evashevski: 49-E Bagnall Road Cedarville – Dredge

Paula Stanek: 49- Stanek – Draft Permit for Countersignature.

Breezeswept Docks Resolution for Tobias located at 2092 Woodland Road, Cedarville:

Fitzgerald made a motion to support the proposed project at Tobias: 2092 Woodland Road, Cedarville. Kozma seconded the motion.

Roll Call Vote: Clymer Yes, Rutledge Yes, Kozma Yes, and Fitzgerald Yes. All in Favor. Motion carried.

Breezeswept Docks Resolution for Smith located at 2183 Crooked Tree Lane, Cedarville:

Fitzgerald made a motion to support the proposed project at Smith: 2183 S. Crooked Tree Lane Cedarville, Michigan. Rutledge seconded the motion.

Roll Call Vote: Clymer Yes, Rutledge Yes, and Fitzgerald Yes. Kozma Abstained. Motion carried.

Citizens for Local Choice: Renewable Energy and Energy Waste Reduction Resolution:

Clymer made a motion to support a resolution expressing support for the Citizens for Local Choice ballot initiative which seeks to amend the clean and renewable energy and energy waste reduction act to repeal part 8 as added by public Act 233 of 2023. To restore local control for wind and solar operations. Fitzgerald seconded the motion.

Roll Call Vote: Kozma Yes, Rutledge Yes, Fitzgerald Yes, Clymer Yes. Schuster absent. Motion carried.

OLD BUSINESS & UPDATES:

Clark Township purchased a plaque for the Hessel Marina, recognizing the DNR.

Clark Township purchased a plaque recognizing the Les Cheneaux Community Foundation and YAC for the grant they received for the OWL and the TV screen.

Recycle Center Contract:

Fitzgerald gave out information regarding the proposed hours that James Smith of GFL would like the Clark Township Trash and Recycle Center to be open.

The current contract expires April 30th, 2024.

Rutledge made a motion to allow Fitzgerald to negotiate with James Smith (GFL) and Fitzgerald will bring information back to the board by the next meeting. Kozma seconded the motion. All in favor. Motion carried.

Contract Bidder for Peek-A- Boo Trail – Open bids February 15th, 2024.

David Murray spoke to the Board of Trustees regarding the Peek-A-Boo Trail. He stated that work on the trail has begun. Logging is the first step, which Donald (Digger) Smith will complete. The second step is choosing a contractor to build the trail. Dave Murray stated that the bids came in higher than expected. The committee will have to meet to discuss if they need to re-open the bids and if they can reduce the trail cost. Project may go into 2025 and grant giver is willing to extend time.

Sewer Project:

30 to 20 AMP Breaker:

Clymer stated that 20-amp breakers are required and do not void warranty.

Control Panels Penetration:

Clymer stated that if the old style of control panel is in use the contractor may have to plug the side holes. The bottom control panels are best because the wiring is more protected from the weather.

Clymer stated that Clark Township was shorted 150 panels by the engineer, but Maverick can order the panels.

Clymer will discuss this issue with C2ae.

Permitting and Bids Discrepancies:

Clymer stated that no electrical permits are required to put in a new sewer pump. Bid specs state that if the circuit is going to be changed a permit is needed, and this project is “in kind” replacement of existing equipment.

DuBois Cooper Representative:

Clymer spoke with Dubois Cooper Representative, and he stated that there may be a sewer pump that may work better than the ones we have now for the lift stations.

Clymer stated that Dubois Cooper offers a pump that may work for the Fish Cleaning Station. The cost is around \$20,000.00 Clymer stated that he will provide the Board of Trustees with information.

Sewer Project Newsletter:

Clymer said that the Sewer Advisory Board approved another sewer newsletter. The newsletter will be mailed to all property owners in Clark Township.

Fitzgerald made a motion to send out the sewer newsletter. Kozma seconded the motion. All in favor. motion carried.

Progress on Website Development:

Per Deborah Beukema Handout - Suggested issues with the website were reviewed and more recent changes emailed to the website designer. It is in his hands now and we must wait for all the corrections.

NEW BUSINESS

Baseball Field:

Robert Lohff is organizing a middle school baseball team and would like to use the baseball fields at Snows Heritage Park and at the airport.

Fitzgerald made a motion to approve Robert Lohff/Les Community Schools to use the baseball fields at Snows Heritage Park and the A.J. Lindberg Airport. Rutledge seconded the motion. All in favor. Motion carried.

YAC (Youth Advisory Committee) is working on a sailing club/class for youths:

Class of approximately ten children in June of 2024. Possibly using the new Hessel Marina as classroom space or storage of 5 to 10 Sunfish sailboats.

Eva Carpenter was supposed to attend the Board of Trustees meeting, which she did not.

Kozma made a motion to table this agenda item until further information. Fitzgerald seconded the motion. All in favor. Motion carried.

Rutledge spoke regarding the Veteran/Military Banner Program:

Rutledge stated that there had been several inquiries about the Military Banners. The contact is Abby at the HHH Banner Program.

Superior District Library:

Cris Roll spoke on behalf of Superior District Library and the millage renewal.

Rutledge commented that the election is less than a week away and half of the voters have already made their decision.

Board of Review Meeting:

Clymer stated that there will be mandatory additional hours for secretary (Paula Badour) on 3/11/2024 from 3:00 p.m. to 9:00 p.m. for the Board of Review.

Kozma made the motion to approve the overtime hours for the Board of Review meeting on 03/11/2024 from 3:00 p.m. to 9:00 p.m. for Paula Badour. Fitzgerald seconded the motion.

Roll Call Vote: Clymer Yes, Rutledge Yes, Fitzgerald Yes, Kozma Yes. All in favor. Motion carried.

Fire Chief Position:

Mark Merchberger sent the Clark Township Board of Trustees a letter of interest and resume for the Fire Chief Position. He will be replacing Steve Honnila, who has moved out of the area. Mark Merchberger was present at this meeting to answer questions.

Fitzgerald made a motion to approve Mark Merchberger as the new fire chief. Rutledge seconded the motion. All in favor. Motion carried.

DNR Waterways Grant:

Fifty percent match required, and the grant is due by April 1st, 2024.

Township percent will be due in the fall 2024.

The Board of Trustees agreed to have Clymer apply for funding for the Hessel Marina bathroom, yacht basin and break wall through the DNR Waterways Grant. All in favor.

Planning Commission – Steve Kozma:

The Planning Commission requests verbiage changes to the Zoning Ordinance.

Page 92 (Section 10.7) Title of table revised: Table of Dimensional Regulations for primary structures.

Fitzgerald made the motion to revise the Table of Dimensional Regulations for primary structures on Page 92, Section 10.7. Rutledge seconded the motion.

Roll Call Vote: Clymer Yes, Fitzgerald Yes, Kozma Yes, Rutledge Yes. All in favor. Motion carried.

Footnote on Page 92, note two revised to Section 6.12 amended.

Fitzgerald made a motion to amend footnote two on page 92 revised from section 6.11 to section 6.12. Rutledge seconded the motion. All in favor. Motion carried.

The boathouse matrix in the online version of the Zoning ordinance was incorrect and is now correct.

Administrative Assistant’s Collative Bargaining Unit Agreement:

Linda Sherlund (Steward) suggested a closed meeting due to attorney discussion and union bargaining agreement.

The Board of Trustees will move this agenda item to the end of the meeting.

The Planning Commission New Candidate:

Amanda Jensen attended her first Planning Commission meeting last week. She would like to be a member of the Planning Commission Board.

Kozma made the motion to approve Amanda Jensen to the Planning Commission Board. Fitzgerald seconded the motion. All in favor. Motion carried.

EMS Application:

Brooke Baldwin sent an application to be on Ambulance Corp on a part time basis.

Fitzgerald made a motion to accept her application. Kozma seconded the motion. All in favor. Motion carried.

Quote for 2026 Ford F450 4x4 Ambulance \$345,767.00

Rutledge received a quote for a 2026 Ford F450 4x4 Diesel Wheeled Coach Type I 170x 72 headroom, per attached work order, included is a Stryker Performance Load cot fastener, AliArc front bumper/grille guard. And graphics. Price is \$ 345,767.00 from Emergency Vehicles Plus on 01/22/2024.

Keith McGowan is looking for grants for the new ambulance for which he can apply.

Mark Merchberger asked about grants for the new fire truck.

Resolution - Cloverland Electric Cooperative Licensing Agreement:

Temporary Seasonal Signs, Banners, and Decorations - Cloverland Electric:

Rutledge stated that there is an application and fee that the township needs to fill out and send to Cloverland Electric Co-operative for usage of their electrical poles for seasonal signage, banners, and decorations.

Fitzgerald made a motion to appoint Rutledge to sign Cloverland Electric Cooperative licensing agreement for the downtown Hessel lightning project and not to exceed \$3000.00. Kozma seconded the motion.

Roll Call Vote: Clymer Yes, Fitzgerald Yes, and Kozma Yes. Rutledge abstained. Motion carried.

TREASURER'S REPORT:

General Fund: \$543,154.53

Sewer Fund: \$117,214.11

Fitzgerald would like to have Kristy McPherson with North Shore Tax & Accounting instead of Anderson Tackman for day-to-day questions.

SUPERVISOR'S REPORT:

Logging begins at Peek-A-Boo Trail:

The Peek-A-Boo trail is closed to the end of March 2024.

Update on local county road speed limits:

A new bill will allow collaboration with the State Road Commission and Township to create speed limits that are safer than the present formula where the state police do a radar survey and set the speed limit at plus/minus 5 mph of current traffic speeds.

MTA Capital Conference:

Clymer will give a written handout to all Board of Trustees in the future.

MCRC Township Meeting:

Clymer went to the MCRC Township Meeting. Cedar and Meridian Road paving projects are going out to bid soon.

Hessel Marina Work Group:

Clymer stated that the Marina Work Group met on 02/06/2024 and discuss the next steps.

Neal House Closing:

Clymer stated that the closing of the Neal House will be at the end of June 2024.

HiLine Broadband Grant Award:

Clymer stated that maps of the area based on coverage are from the census bureau and we are collaborating with HiLine to reach under and unserved residents with high-speed internet.

Sale of Property to Taylor Lumber to resolve encroachment. Cedarville Harbor/Marina Land:

Taylor Lumber Company is selling their buildings and their property. Taylor Lumber Company building is on Clark Township property by around six feet. This property is the property where Cedarville Harbor Building is located. Taylor Lumber Company, owner Brien Hanna would like to purchase this land and presented an offer of \$5,000.

Kozma stated that there was a survey done when the construction of Cedarville Harbor Building was built, but not a whole property survey just an area.

The Board of Trustees would like more information on the property, the exact amount needed, what the property is worth before any more discussion on selling.

The Board of Trustees stated that they would like to table any discussion or decision until they have further information. All in favor. Motion carried.

New email virus filter VC3:

VC3 no longer uses Barricade for email virus filter. Emails that are possible spam will show up in an email filter system.

Election:

Rutledge stated that the Presidential Primary Election is February 27, 2024, and Linda Sherlund will have overtime prior to the election and on that day.

Fitzgerald made a motion to approve all overtime for the election. Kozma seconded the motion.

Roll Call Vote: Clymer Yes, Fitzgerald Yes, Kozma Yes, and Rutledge Yes. All in favor. Motion carried.

COMMITTEE/COMMISSION REPORTS:

Airport Committee:

No meeting set.

Ambulance Corp & Fire Department:

Ambulance Corp has not sent any update for two months.

Fire Department:

Call report from January 16th to February 19,2024.

The number of incidents responded to in 2024 is three.

Received the resignation of Chief Steve Honnila.

By consensus of the fire department members, we have asked Mark Merchberger to be our Fire Chief.

Code Enforcement Officer:

Cal Burnside submitted an update on his complaints. For the month of January, he has received fourteen complaints. He stated that he resolved thirteen of the fourteen issues. He has one ongoing investigation.

Heritage Park:

Snow's Heritage Park met on February 8th at 3:00 p.m.

Fitzgerald will call Mackinac County because Clark Township has not received a check that they approved for Snow's Heritage Park for \$25,000.00.

Robert Lohoff is inquiring about using the Baseball Fields at Snow's Heritage Park for the middle school children's baseball team. The committee discussed the fields and their condition.

Noel Weaver stated that Central Savings Bank donated a \$1000.00 to purchase a Christmas display for the Snow's Heritage Park Annual Light Up the Park.

Planning Commission:

Kozma stated that he has given several verbiage changes and updates on ordinances to Deb Beukema for the website.

Kozma stated that the Planning Commission is discussing the Downtown District.

Recreation Committee:

Recreation Committee has not met.

Peek-A-Boo Trail Committee will meet on February 26th, 2024.

Road Committee and Road Ends Committee:

Committee has not met. Clymer stated that he and Luke Jaroche and himself attended the last Mackinac County Road Commission meeting for townships.

Sewer Advisory Board:

The Sewer Advisory Committee has not met but approved the sewer newsletter via email.

Public Comment: LIMITED TO THREE (3) MINUTES PER PERSON FOR NON-AGENDA ITEMS:

John Hessel would like information regarding the agreement on road ends and easements. Also, he would like to talk to Mark Clymer regarding easements and road ends that are not available for use.

Clymer stated that he would meet with John Hessel after the board meeting.

Paul Hitchens commented about an alley by the Windsor property that the public cannot use. He also questions other easements that the public are not using.

Clymer stated that only the plat owners can use it.

Amanda Jensen asked if the Les Cheneaux School Outdoor Classroom could be used for a Community Garden. Amanda is looking to May 2024 to get this program started.

Clymer stated that logging has started in that area.

Clymer explained that Clark Township does not own this property, but the Les Cheneaux Community School leases this property to the township. Amanda could contact Robert Lohff to see if she could use it for a Community Garden. Kozma stated that the Les Cheneaux Chamber of Commerce is working with students and businesses to coordinate student work experience. Amanda can speak with Syndey or Teresa at the Les Cheneaux Chamber of Commerce to see if this could be part of the program.

Short Term Rentals:

Paul Hitchens commented that the Board of Trustees should make sure there is not a conflict of interest prior to appointing members to the Planning Commission.

Paul Hitchen commented that Dave Buckalew resigned due to conflict of interest and his boss knows all about it. Paul stated that we need to call his boss.

Paul Hitchens stated that the Board of Trustees should reject his vote on short-term rental.

Kozma tried to speak regarding this comment and explain that not all Planning Commission member resignations are an omission of guilt. Paul Hitchens interrupted four times. Clymer asked Paul Hitchens to leave.

ADJOURNMENT:

Fitzgerald made a motion to adjourn the regular board meeting at 10:25 a.m. Kozma seconded the motion. All in favor. Motion carried.

Short Break

Kozma made a motion to go into closed session at 10:40 a.m. for Administrative Assistant's Collective Bargaining Agreement. Fitzgerald seconded the motion. All in favor. Motion carried.

Fitzgerald made a motion to adjourn the closed session. Kozma seconded the motion. All in favor.

Fitzgerald made a motion to open the regular meeting. Kozma seconded the motion. All in favor.

Fitzgerald made a motion to put the lawyers on hold, waiting for a clean copy of the contract that a majority members may approve. Then the union will submit it to the Board of Trustees for their approval. Kozma seconded the motion.

Roll Call Vote: Clymer Yes, Rutledge Yes, Kozma Yes, and Fitzgerald Yes. All in favor. Motion carried.

Fitzgerald made a motion to go into closed session at 11:10 a.m. to discuss Ken Waybrant's salaries and building permits cost.

Fitzgerald made a motion to come out of closed session at 12:00. Kozma seconded the motion. All in favor. Motion carried.

Fitzgerald made a motion to open the regular meeting. Kozma seconded the motion. All in favor. Motion carried.

Kozma made a motion to approve the updated fees for the building permits which will be in effect on 02/26/2024. Fitzgerald seconded the motion.

Roll Call Vote: Clymer Yes, Rutledge Yes, Fitzgerald Yes, and Kozma Yes. All in favor. Motion carried.

Kozma made a motion starting today, 02/21/2024 to have Ken Waybrant's pay which will include \$50.00 per permit. Ken Waybrant's pay will be \$40,000.00 total for Building and Zoning Inspector for one year starting at the new fiscal year. Fitzgerald seconded the motion.

Roll Call Vote: Clymer Yes, Rutledge Yes, Kozma Yes and Fitzgerald Yes. All in favor. Motion carried.

Kozma made a motion to approve starting today 02/21/2024 to pay Cal Burnside \$25.00 per site inspection. To increase Cal Burnside monthly wages by \$250.00 which will be \$1,250.00 total per month starting at the new fiscal year. Fitzgerald seconded the motion.

Roll Call Vote: Clymer Yes, Rutledge Yes, Fitzgerald Yes, And Kozma Yes.

Fitzgerald made a motion to adjourn the regular meeting at 12:30 a.m. Kozma seconded the motion. All in favor. Motion carried.