

**EAST CHINA CHARTER TOWNSHIP
OFFICIAL PROCEEDINGS**

JANUARY 6, 2020

CALL TO ORDER – The meeting was called to order at 7:30 p.m. by Supervisor Simons.

ROLL CALL –

PRESENT: Supervisor Larry Simons, Clerk Robert Freehan, Treasurer Donald Beaudua, Trustee Angelo Patsalis, Trustee Donald Horn, Trustee Deborah Babel, and Trustee Herbert Blackstock
ABSENT: None

Also, in attendance: Township Manager Cynthia Paparelli and two others.

PLEDGE OF ALLEGIANCE – led by Supervisor Simons.

APPROVE AGENDA – Motion by Trustee Horn, supported by Clerk Freehan to approve the agenda with the addition of NB-3 Telephone Replacement for the Township Hall.
Motion passed.

APPROVE MINUTES – Motion by Treasurer Beaudua, supported by Trustee Babel to approve the December 16, 2019 Minutes as submitted. Motion passed.

PUBLIC COMMENT - None

CONSENT AGENDA – Motion by Trustee Patsalis, supported by Trustee Blackstock to receive the following reports: December 2019 SE/WA Authority Meeting Minutes; December 2019 Historical Commission Minutes; December 2019 Building Department Report (Trustee Horn asked if the Board should formally condemn a structure before the Building Dept. sends a letter to demolish the structure. Supervisor Simons will review past practice;) December 2019 Marine City Area Fire Authority run report & total run 2019 report; St. Clair County Sheriff's Quarterly Activity Report. (The Undersheriff explained some of the numbers contained in the Quarterly Report. Numbers for most activities remain stable. The same deputies have been assigned to East China and China Townships for this year as last year which is beneficial for both the deputies and the Townships.) Motion passed.

DISBURSEMENTS – Motion by Treasurer Beaudua, supported by Trustee Babel to approve payment of Invoices in the amount of \$ 53,903.87, Accounts Payable \$124,322.58, Payroll \$61,897.34, EFT's \$25,828.48, Tax Account \$123,470.93, Payroll Tax \$22.03 for Total Disbursements of \$ 389,445.23. **ROLL CALL VOTE:** Ayes – Simons, Freehan, Beaudua, Blackstock, Patsalis, Babel, Horn. Nays – None. Motion passed.

OLD BUSINESS – None

NEW BUSINESS

1. Performance and Indemnification Application and Permit (Resolution 1-2020). Motion by Clerk Freehan, supported by Trustee Patsalis to approve the following Resolution:
Motion passed.

RESOLUTION 01-2020 PERFORMANCE AND INDEMNIFICATION

East China Charter Township
County of St. Clair, Michigan

Minutes of a regular meeting of the Township Board of East China Charter Township, County of St. Clair, Michigan, held in the Township Hall on the 6TH day of January, 2020 at 7:30 p.m.

PRESENT: Supervisor Larry Simons, Clerk Robert Freehan, Treasurer Donald Beaudua, Trustee Angelo Patsalis, Trustee Donald Horn, Trustee Deborah Babel, Trustee Herbert Blackstock

ABSENT: None

The following Resolution was offered by Clerk Robert Freehan and supported by Trustee Angelo Patsalis.

WHEREAS, East China Charter Township, hereinafter referred to as the "GOVERNMENTAL BODY" from time to time makes application to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT", to construct, operate, and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right-of-ways at various locations within and adjacent to its corporate limits.

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT to the GOVERNMENTAL BODY agrees that:

1. It will faithfully fulfill all permit requirements and will indemnify, save harmless, represent, and defend the State of Michigan Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract from any and all claims of every kind for injuries to, or death of any and all persons, and for loss, or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the presence of the GOVERNMENTAL BODY'S facilities, and/or its installation, construction, operation, maintenance, or other activities which are being performed under the terms of the PERMIT on, over and/or under the state trunkline right-of-way, except claims resulting from the sole negligence or willful acts or omissions of said DEPARTMENT, its officers, agents, employees, and contracting governmental bodies and officers, agents, and employees thereof, performing permit activities.

2. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL BODY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.
3. It will, by its own volition and/or request by the DEPARTMENT promptly restore and/or correct physical or operating damages to any state trunkline right-of-way resulting or arising out of the installation, construction, operation, and/or maintenance of the GOVERNMENTAL BODY'S facilities pursuant to a PERMIT issued by the DEPARTMENT.
4. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not preclude the DEPARTMENT requiring additional performance security or insurance when deemed necessary by the DEPARTMENT.
5. This Resolution shall continue in force from the date hereof until cancelled by the GOVERNMENTAL BODY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL BODY with regard to any PERMIT, which has already been issued, or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position or positions are hereby authorized to make application to the Michigan Department of Transportation for the necessary permit to work within state trunkline rights-of-way on behalf of the GOVERNMENTAL BODY.

Larry Simons, Supervisor

Robert Freehan, Clerk

All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Simons, Freehan, Beaudua, Patsalis, Horn Babel, Blackstock

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED.

Robert Freehan, Clerk

East China Charter Township

2. Revised Boards, Commissions and Authorities Pay Rates (Resolution 2-2020). Motion by Trustee Patsalis, supported by Trustee Blackstock to approve the following resolution:
ROLL CALL VOTE: Ayes: Horn, Patsalis, Beaudua, Simons, Freehan, Blackstock, Babel.
RC. All Yes.

**RESOLUTION 2- 2020
(REVISED) PAY RATES FOR EAST CHINA TOWNSHIP
BOARDS, COMMISSION AND AUTHORITY MEMBERS**

East China Charter Township
County of Saint Clair, Michigan

Minutes of a regular meeting of the Township Board of Trustees of East China Township, County of St. Clair, Michigan, held in the Township Hall, on the 6TH day of January 2020 at 7:30 p.m.

PRESENT: Supervisor Larry Simons, Clerk Robert Freehan, Treasurer Donald Beaudua, Trustee Angelo Patsalis, Trustee Donald Horn, Trustee Deborah Babel, Trustee Herbert Blackstock

ABSENT: None

The following Resolution was offer by Trustee Angelo Patsalis and supported by Trustee Herbert Blackstock

WHEREAS, good financial management recommends having a single resolution stipulating Boards, Commission and Authority member pay rates which can be more easily reviewed and renewed annually; and

WHEREAS, not all Boards, Commission, authorities and councils to which Members of the Community or Board Members are appointed or who serve as the Township's designated representative were included in the previous resolution or pay rates needed additional clarification;

NOW, THEREFORE, BE IT RESOLVED that the Township Board of Trustees establishes the following pay rates for all East China Township Board and Commission members, Authority Members, and Board of Trustee members serving as official representatives to non-Township advisory commissions, councils, or governmental organizations. These pay rates do not include annual pay rates for the Township Board of Trustee members regular Township Board meetings:

Township Boards and Commissions
Chair \$30 per meeting
Secretary \$30 per meeting
Members \$25 per meeting

Township Authorities

Chair \$30 per meeting
Secretary \$25 per meeting
Members \$25 per meeting

Township Board of Review

Members \$25 per meeting; \$10 per hour after first hour

Non-Township Council/Advisory commission/governmental agency
Board-appointed member \$25 per meeting

BE IT FURTHER RESOLVED that the pay rates shown above shall be in effect on the date that this resolution is adopted.

All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Simons, Freehan, Beaudua, Patsalis, Horn Babel, Blackstock

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED

Robert Freehan, Clerk
East China Township

1. Telephone System Replacement for Township Hall. Motion by Treasurer Donald Beaudua, supported by Trustee Babel to purchase a replacement central telephone system for the Township Hall consisting of a central communications controller unit and 9 new desktop phones, all necessary wiring and installation, and a two-year warranty from Business Voice & Data Systems, LLC at a cost not to exceed \$4,000. ROLL CALL VOTE: Ayes – Simons, Freehan, Beaudua, Horn, Babel, Patsalis, Blackstock. Nays – None. Motion passed.

ANNOUNCEMENTS – Supervisor Simons said the traffic light at M-29 and the entrance to Blue Water Energy construction area is temporary for safety purposes.

MEMBER COMMENTS --

Trustee Patsalis asked if anything can be done about the stagnant water and odor behind Belle River Rd. residences near the bike trail.

Treasurer Beaudua stated Township Board positions have not received a pay raise in the last 20 years and one should be considered in the future.

Supervisor Simons wished everyone a safe 2020. He said that many good things are happening in the Township. He also said the contractor has started borings for the new lift station piping in the area of the Meisner Road Bridge. He asked all drivers in the area to be cautious.

Clerk Freehan said 859 applications for absentee ballots for the March 10 election have been mailed to registered voters on the permanent Absentee Voter list. Every voter is eligible to request an absentee ballot but needs to complete an application which is available by visiting or calling the Township offices. He cautioned everyone to review the application instructions carefully because several which have been returned are completed incorrectly. Voters are being contacted to make the corrections.

Township Manager Paparelli said that grant applications have been submitted for development of the EGLE Coastal Management Plan and the FEMA Hazardous Material Mitigation Plan.

ADJOURN – Motion by Treasurer Beaudua, supported by Trustee Horn to adjourn at 8:21 p.m. Motion passed.

Larry Simons, Supervisor

Robert Freehan, Clerk