

REGULAR MEETING
March 9, 2021

PERE MARQUETTE CHARTER TOWNSHIP BOARD
held at 1699 S. Pere Marquette Highway, Ludington MI 49431

Board members present: Supervisor Gerald Bleau; Clerk Rachelle Enbody; Treasurer Karie Bleau; Trustees: Andrew Kmetz, Henry Rasmussen and Ronald Soberalski.
Present via teleconference: Trustee James Nordlund Sr.
Also present: Sheriff Kim Cole, Larry Gaylord, and Kelly Smith.
Present via teleconference: James Bernier (JMB Associates), Hannah Hubbard (Ludington Daily News), and two guests.

The meeting was called to order at 6:30 p.m. by the Supervisor. Invocation was given by Smith. Pledge of Allegiance was recited by all.

APPROVAL OF PREVIOUS MINUTES: **Moved** by K. Bleau, seconded by Rasmussen to approve the February 23, 2021 minutes as presented.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
No: None.
Absent: None.

Motion carried.

PUBLIC COMMENT: Sheriff Cole reported on calls for service from November 2020, December 2020, January 2021 and February 2021.

APPROVAL OF AGENDA: **Moved** by Kmetz, seconded by Enbody to approve the agenda as amended.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
No: None.
Absent: None.

Motion carried.

PUBLIC HEARINGS: A. **Application for Land and Water Conservation Fund Grant** – The public hearing was called to order by the Supervisor at 6:43 p.m. The purpose of the hearing is to receive public comments regarding Pere Marquette Charter Township's grant application for a Federal Land & Water Conservation Fund Grant. Notice of the public hearing was published in the Ludington Daily News on February 27, 2021. Jim Bernier explained that the grant is a 50/50 match, reviewed the local match funding sources, and gave an overview of the development project which is a new Pere Marquette River boating, pedestrian fishing and wetlands ecology observation facility at Pere Marquette Conservation Park.

There were no comments, written or oral and the public hearing was closed at 6:48 p.m.

COMMUNICATIONS: Enbody reported a channel update notification from Charter Communications (Spectrum).

UNFINISHED BUSINESS: A. **Consider Quotes for Sewer and Water Rate Study** – K. Bleau explained that she obtained quotes for a rate study/analysis under the direction of the board. The board postponed action at the previous meeting until members could review the Michigan Rural Water Association Rate Calculation Report. The industry standard recommendation is to conduct a rate analysis every five to seven years. The previous rate analysis was completed in 2015. The MRWA evaluation is required by EGLE every three years and meets the requirements for a water system analysis, but does not make rate recommendations. K. Bleau recommends that the township continue to use the 2015 analysis as a basis for rates and further recommends that the next future analysis be considered for 2023.

Moved by Nordlund seconded by Rasmussen to reject the quotes for a Sewer and Water Rate Study.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
No: None.
Absent: None.

Motion carried.

NEW BUSINESS: A. **Resolution of Authorization – Land and Water Conservation Fund Grant**

LAND AND WATER CONSERVATION FUND
RESOLUTION OF AUTHORIZATION

WHEREAS, the Pere Marquette Charter Township Board of Trustees supports the submission of an application titled, “Pere Marquette River Community Access” to the Land and Water Conservation Fund for development of a new Pere Marquette River boating, pedestrian fishing and wetlands ecology observation facility at Pere Marquette Conservation Park; and,

WHEREAS, the proposed project and corresponding application is supported by Pere Marquette Charter Township’s Parks, Recreation and Open Space Plan 2020-2024, Adopted 1/20/20; and,

WHEREAS, Pere Marquette Charter Township is hereby making a financial commitment to the project in the amount of \$120,000 matching funds, in cash and force account; and,

WHEREAS, if the grant is awarded the applicant commits its local match and donated amounts from the following sources:

- Ludington based Pennies From Heaven Foundation through the Land Conservancy of West Michigan
\$250,000,
 - Metalworks Corp of Ludington through the Land Conservancy of West Michigan
\$130,000
- Total \$500,000

NOW THEREFORE, BE IT RESOLVED that the Pere Marquette Charter Township Board of Trustees hereby authorizes submission of a Land and Water Conservation Fund application for \$500,000; and further resolves to make available through its own financial commitment and cash donations a local match of \$500,000 (50%) for a total \$1,000,000 project cost, during the 2022-2023 fiscal years.

Moved by Soberalski, seconded by Rasmussen to adopt the foregoing **resolution**.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
 No: None.
 Absent: None.

Resolution declared adopted.

B. Second Reading and Consideration of Adoption of Proposed Ordinance No. 148 – Zoning Ordinance Text Amendment – Board members conducted the second reading of proposed Ordinance No. 148, a zoning ordinance text amendment. The text amendment would amend the listed Zoning District in Article 19: High-Risk Erosion Overlay Zone; would amend, add and repeal various sections relation to and regulating Article 28: Signs. The proposed ordinance was published in the Clerk’s office and on the township website and a notice to that effect was published in the Ludington Daily News on February 27, 2021.

Moved by K. Bleau, seconded by Kmetz to accept the second reading without change and adopt Ordinance No. 148, a zoning text amendment ordinance, and to provide for an effective date.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
 No: None.
 Absent: None.

Motion carried.

C. Consider Purchase of Firefighter Turn-out Gear – Board members reviewed a quote from Allied Fire Sales & Service, LLC for the purchase of three sets of turnout gear.

Moved by Rasmussen, seconded by Soberalski to approve the purchase of three sets of custom turnout gear from Allied Fire Sales & Service, LLC in the amount of \$7,048.14.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
 No: None.
 Absent: None.

Motion carried.

D. Consider Mutual Fire Protection Agreement – Board members reviewed the Mutual Fire Protection Agreement. The agreement provides for mutual aid between Pere Marquette Charter Township, Hamlin Township, and the City of Ludington. The term of the agreement is for two years and shall thereafter automatically extend from year to year.

Moved by Soberalski, second by Rasmussen to approve the Mutual Fire Protection Agreement and to authorize the Supervisor and Clerk to sign the agreement on behalf of the township.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
 No: None.
 Absent: None.

Motion carried.

E. Consider Amendment(s) to Personnel Policy – Board members reviewed two updates to the Personnel Policy. The first amendment is in regards to overtime. The current policy only allows for overtime in excess of 40 hours if the employee has actually worked and does not allow the hours for holidays or other paid time off to be considered as hours worked. This amendment would allow for overtime compensation when employees hours, including paid time off, exceed forty hours. The second amendment would change the Good Friday Holiday from “afternoon only” to a full day holiday.

Moved by Enbody, seconded by K. Bleau to approve the following amendment(s) to the Pere Marquette Charter Township Personnel Policy: (amendments are in **bold**).

7.1.3 *Overtime*. Add: **Employees called in to work outside for their normal hourly duties will be paid overtime regardless of paid time off in any given week.**

9.9 Paid Holidays.

Paid holidays include the following:

Good Friday —~~afternoon only~~

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
 No: None.
 Absent: None.

Motion carried.

F. Consider Approval of Job Descriptions – The township conducted a Classification and Compensation Study in 2020 which included providing the township with the necessary tools for ongoing job description development. The completion of the study included updated job descriptions. Board members reviewed job descriptions for the following positions: Administrative Assistant, Assessor, Building Inspector, Building Official, Deputy Clerk, Department of Public Works Operator, Department of Public Works Superintendent, Department of Public Works Assistant Superintendent, Parks Manager, Township Supervisor, Township Treasurer, and Zoning Administrator. G. Bleau added that the Personnel Committee has reviewed the descriptions. While the township currently contracts the Building Inspector position and the Building Official position is currently handled by G. Bleau, it is still important to have the approved job descriptions available in case the township decides to employ those positions in the future.

Moved by Kmetz, seconded by K. Bleau to approve the job descriptions as presented, effective immediately.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
 No: None.
 Absent: None.

Motion carried.

G. Consider Resolution to Suspend Sewer and Water Penalty Charges – K. Bleau was directed to bring a resolution to waive the utility penalty charges by quarter in 2021. K. Bleau reported that at this time there are approximately six customers with past due bills from fourth quarter 2020. K. Bleau recommended that the board no longer waive penalty charges in 2021.

The following resolution was offered by Nordlund and seconded by Rasmussen.

RESOLUTION TO SUSPEND WATER AND SEWER PENALTY CHARGES

WHEREAS due to the COVID-19 pandemic; and

WHEREAS as stated in Article II. – Water System

Division 1. – Generally

Sec. 30-66. – Billing and enforcement.

(b) Bills shall be mailed by the 15th day of the month following the quarter or month for which the bills are rendered and shall be due and payable on or before the tenth day of the next month. Customers whose bills are not paid on or before the due date shall have a penalty charge equal to eight percent of the amount of the bill added thereto. Customers whose bills remain unpaid on the 20th day of the month shall receive a second and final bill, which shall include the penalty amount and shall indicate that the customer's township water service will be shut off if payment is not made within five days of the date of the bill. If the bill plus the penalty amount is not paid within five days of the date of the bill, then the customer's public water service shall be turned off immediately and without further notice. Water service shall not be restored until the entire amount of the water bill plus the penalty amount has been paid together with any charges due pursuant to section 30-63.

THEREFORE, BE IT RESOLVED by the Pere Marquette Charter Township Board that penalty charges will not be enforced for the first quarter of 2021.

Roll call vote: Yes: None.
 No: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
 Absent: None.

Resolution declared defeated.

H. Consider Sewer Connection Discount – Rasmussen Road Project – K. Bleau stated that the township has historically offered connection discounts during construction projects as an incentive for residents to connect to municipal services. If passed, informational letters will be mailed to residents in the project vicinity to inform them of the opportunity to connect.

The following **resolution** was offered by K. Bleau, and seconded by Kmetz:

WHEREAS, Ordinance No. 92, the Pere Marquette Charter Township Sewer System Rate Ordinance (the “Sewer Ordinance”) provides that the Township Board shall establish sewer user rates and charges from time to time; and

WHEREAS, the Township Board desires to establish such rates and charges as are set forth in this resolution.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

11. Pursuant to Section 4 of the Sewer Ordinance, the following sewer connection charges are established; the following sewer connection charges shall be added to Section 4 as indicated in **bold**:

- a. **Sewer Stub Installation Charge** (For all connections, except those connections to the portion of the System, as defined in the Sewer Ordinance, financed by a Sewer Special Assessment District in which the construction of the sewer stub is part of the initial construction project or portions of the System built by a third party without cost to the Township), The charges to connect shall be:

Gravity sewers	\$950.00
Small diameter pressure sewers (per lf)	\$10.00

For the 2021 Rasmussen Road Sewer Project:

These installation charges may be discounted by 50% if application to connect and payment is made during the construction phase of the sewer line installation project on Rasmussen Road. The discount will apply until the completion of the project.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
No: None.
Absent: None.

Resolution declared adopted.

I. Consider Purchase Offer Amendment for LOT 1 of First Street Business Park – The following resolution was offered by G. Bleau and supported by Enbody:

RESOLUTION

WHEREAS, the Township owns certain real property within the Pere Marquette First Street Business Park;

WHEREAS, ~~White Sand Holdings, Inc.,~~ **Sheldon Larson** (the “Purchaser) made an offer to purchase certain real property commonly known as Lot 1, Pere Marquette First Street Business Park (the “Property), and legally described on the attached Exhibit A for a total purchase price of Seventy Thousand Four Hundred Seventy Dollars (\$70,470.00) subject to certain terms and conditions.

WHEREAS, the Board wishes to confirm its acceptance of the Purchaser's offer to purchase the Property.

THE PERE MARQUETTE CHARTER TOWNSHIP BOARD RESOLVES THAT:

1. The sale of the Property to the Purchaser for stated amount is authorized.
2. The Supervisor and the Township Attorney are authorized to negotiate the details of the offer from the Purchaser to purchase the Property
3. The Supervisor and the Clerk are authorized to sign the documents necessary to memorialize the terms of the transaction and otherwise close the sale of the Property to the Purchaser.
4. All resolutions in conflict in whole or in part with this Resolution are revoked to the extent of such conflict.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
No: None.
Absent: None.

Resolution declared adopted.

COMMITTEE REPORTS: Zoning Board of Appeals (Soberalski) – Reported granting a variance request for a storage facility.

Planning Commission (Rasmussen) – Reported most will be at next meeting.

Board of Review (G. Bleau) – Reported that the Board of Review held their Organizational Meeting on March 2nd, a regular meeting on March 8th and the next meeting will be March 10th. In March, the Board of Review can consider Poverty and Veteran’s Exemption Applications and Taxpayer Petitions, including valuation disputes.

Fire Department Liaison (Rasmussen) – Reported nineteen members attended a pipeline training session.

Roads Committee (G. Bleau) – Reported that the committee will meet in late March/early April for 2021 Road Projects.

Department reports were included in board packets.

OTHER REPORTS: Parks/Facilities Manager – Reported on department activity.

Fire Department (Gaylord) – Reported on department activity.

G. Bleau noted that board members received the Planning Commission 2020 Annual Report and the Zoning Board of Appeals 2020 Summary Report that were completed and submitted by the Zoning Administrator.

OFFICERS REPORTS: Clerk (Enbody) – Reported that the staff members will be meeting with the auditor on Thursday in order for the auditor to complete a process review. Reported preparing for the May election and that there may also be an August election. Enbody provided a list of current invoices for approval.

Moved by Enbody, seconded by Rasmussen to approve payment of invoices totaling \$576,090.63.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
 No: None.
 Absent: None.

Motion carried.

Treasurer (K. Bleau) – Provided a report detailing cash, bank and investment balances by fund and by bank account for February 2021 and is working on a new format for the report. Tax settlement is scheduled for Thursday and with settlement complete, will begin contacting each banking and investment institution to review the investment accounts.

Supervisor (G. Bleau) – Reported taking Smith to Detroit in order to pick of the new truck for the Parks Department. Reported working on the updates to the personnel policy, mutual aid agreement, and preparing for Board of Review. The wayfinding signs were received and installed. The DPW received delivery of the new leaf vac.

ADJOURNMENT: **Moved** by Enbody, seconded by Soberalski to adjourn the meeting.

Roll call vote: Yes: G. Bleau, Enbody, K. Bleau, Kmetz, Nordlund, Rasmussen, and Soberalski.
 No: None.
 Absent: None.

Motion carried at 7:54 p.m.

Rachelle D. Enbody, CMC, Township Clerk

Gerald A. Bleau, Township Supervisor