

REGULAR MEETING
February 13, 2018

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

Board members present: Supervisor Paul Keson; Clerk Rachelle Enbody; Treasurer Jacalyn Sroka; Trustees: Paul Piper, Andrew Kmetz, and Henry Rasmussen.

Board member absent: Trustee James Nordlund Sr.

Also present: Devon Hall, Terry Wahr, Andy Larr, Larry Gaylord, Kelly Smith, Carlos Alvarado, Ed White (ACLJ), Rob Alway (Mason County Press), Kevin Braciszkeski, Colton Mokofsky, and Jeff Kiessel (Ludington Daily News), and fifteen 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. The minutes of the January 9, 2018 meeting, and the minutes of the January 23, 2018 meeting, and the current agenda were approved by consent.

NEW BUSINESS: A. **Request for Funding Support for the Household Hazardous Waste Program** – Board members reviewed a request from the Manistee, Mason, and Oceana Conservation Districts for funding support for the Annual Household Hazardous Waste Collection Day.

Moved by Rasmussen, seconded by Piper to enter into a contract and agreement with the Manistee, Mason, and Oceana Conservation Districts to participate in the Household Hazardous Waste Disposal Program scheduled for Saturday, August 18, 2018 and to allocate \$875.00 for the program.

Motion carried.

B. **Set Public Hearing Date for Consideration of Industrial Facilities Exemption(s)** – **Moved** by Kmetz, seconded by Rasmussen to set the public hearing for Tuesday, February 27, 2018 to consider an application for an Industrial Facilities Exemption Certificate for ProAct Services Corporation.

Motion carried.

C. **Letter of Intent – Pere Marquette Memorial** – Board members reviewed the letter of intent received from Attorney Carlos Alvarado regarding the transfer of a portion of the Pere Marquette Memorial site to his client, a community-based organization which is being formed to revitalize the Pere Marquette Memorial Association. The letter states the offeror is willing to pay fair market and reasonable value, with the township obtaining a professional appraisal of the parcel. Keson asked the board if there were any questions from board members. Piper stated that the original parcel was owned by the Butters family and contains deed restrictions in which the owner of the property is required to maintain the site as a memorial and if the property were to revert back to re-established Memorial Association, the letter of intent indicates that the offeror has the ability to complete the restoration and will also have funding through the Community Foundation for ongoing maintenance. Keson invited Mr. Alvarado to address the board. Mr. Alvarado read from a prepared statement and reiterated the terms stated in the letter of intent. Keson thanked Mr. Alvarado for his presentation and stated the township will move forward with obtaining an appraisal of the parcel to determine the fair market value of the property in the event the board decides to exercise that option.

D. **Presentation – Ed White, American Center for Law and Justice** – Keson introduced Ed White and asked Mr. White to present his offer of legal services to the board. Mr. White introduced himself as Senior Counsel for the American Center for Law and Justice. The ACLJ has offices throughout the country and Mr. White is based out of Ann Arbor, Michigan. Mr. White gave a history of his firm and the firm's involvement in constitutionally significant cases. Mr. White offered to represent the township, at no cost, if it faces a lawsuit regarding the Father Marquette Memorial. Mr. White made it clear that his firm is not interested in a test case, that that interest is to represent the Township to come to a resolution and to help reach an answer that will be satisfactory to the community. Township attorney Crystal Bultje noted that the board is in favor of moving forward in negotiating the terms of an agreement with Mr. White and the American Center of Law and Justice.

COMMITTEE REPORTS: Planning Commission (Kmetz) – Meeting cancelled, no report.

Tax Abatement Review Board (Keson) – Reported the TARB Board met to review the application for an Industrial Facilities Exemption Certificate received from ProAct Services Corporation and will be recommending the application for approval.

EMPLOYEE REPORTS: Assessor(Hall) – Reported that his office is very busy this time of year with assessment change notices and receipt of personal property statements.

Building/Zoning Administrator (Wahr) – Provided a report detailing permit activity for January 2018.

DPW/Water/Sewer Superintendent (Larr) – Reported working on year-end reports of both water systems for the DEQ; met with the DEQ district engineer to review the water systems; working on obtaining quotes for a new service vehicle that is a planned purchase in the Capital Improvement Plan and will be bringing a recommendation to the board.

Fire Department (Gaylord) – Reported on forty-six responses for January 2018 and year-to-date totals are twenty-two runs more than the 2017 year-to-date totals.

Parks Manager / Code Enforcement (Smith) – Smith thanked the board for taking the time and seriously considering all of the options with regards to the Father Marquette Memorial; reported receiving approval for the professional plan for the playground equipment that will be purchased with grant funding from the DNR; working with the DPW to rebuild a dock from the Memorial boat launch and will also be working with the DPW on the site preparation for the new playground equipment; making preparations to get ready for the 2018 camping season.

OFFICERS REPORTS: Clerk (Enbody) – Reported working on year-end and preparation for the annual audit which is scheduled to begin next week. Enbody provided a list of current invoices for approval.

Moved by Enbody, seconded by Rasmussen to approve payment of invoices totaling \$310,383.42. Motion carried.

Treasurer (Sroka) – Reported that tomorrow is the last day to pay 2018 winter taxes, quarterly water bills are due Thursday, annual settlement with the County Treasurer is scheduled for March 9th and is preparing for the audit.

Supervisor (Keson) – (no report).

EXTENDED PUBLIC COMMENTS: A woman from Ottawa County stated that two municipalities in Ottawa County had dealt with the same organizations that are requesting removal of the cross from the Father Marquette Memorial.

The meeting was adjourned by the Supervisor at 7:27 p.m.

Rachelle D. Enbody, CMC, Township Clerk

Paul Keson, Township Supervisor