

**REGULAR MEETING
March 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: Kelly Smith, Township Attorney(s) Edward L. White III and Francis J. Manion, Deborah DelZoppo, County Commissioner Lewis Squires, and Sheriff Kim Cole.

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 February 27, 2018 meeting and the current agenda were approved by consent.

PUBLIC COMMENT: Sheriff Cole reported on fifty calls for service in January and thirty-six calls for service in February 2018.

COMMUNICATIONS: Board members each received a letter from auditor Douglas Wohlberg, CPA. The communication details the planned scope and timing of the audit and the auditor’s responsibilities under accepted auditing standards. Board members also received written communication from the Freedom From Religion Foundation.

NEW BUSINESS: A. **Sewer Rate Resolution** – Board members reviewed the proposed changes to the Sewer Rate Resolution which include a change in the usage rate from \$4.50 to \$4.59 per hundred cubic feet and to provide for an effective date of January 1, 2018. The change represents a 2.2% increase based on the CPI-U (Consumer Price Index For All Urban Consumers). Enbody stated she was opposed to the effective date of January 1st and would prefer an effective date of April 1st in order to inform customers of the rate increase prior to usage of the utility at the increased rate.

The following **Resolution** was offered by Kmetz, and supported by Piper:

SEWER RATE RESOLUTION

WHEREAS, Code of Ordinances, Chapter 30, Article III, Sewer and Sewage Disposal (the “Code”) 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:

1. Pursuant to Section 30-239 of the Code, the following sewer connection charges are established:

- a. **Sewer Stub Installation Charge** A connection to the System as provided in the Code for which a stub has previously been installed without cost to the Township shall be charged at cost. The stub installation charge for any other connection shall be as provided in the following table:

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

Lineal footage for stub charges for pressure sewers should be measured from the stub to the connection point for the premises.

- b. **Frontage Charge** A connection to the System as provided in the Code shall be as provided in the following table:

Gravity Sewers (per front lf)	\$40.00
Pressure Sewers (per front lf)	\$10.00

- c. **Trunkage Charge** For all connections, except those connections made directly to the City of Ludington sewer transmission system, the charge shall be as follows:

5/8 & 3/4"	\$1,250.00
1"	\$3,125.00
1-1/2"	\$6,250.00
2"	\$10,000.00
3"	\$20,000.00
4"	\$31,250.00
6"	\$62,500.00
8"	\$100,000.00
10"	\$143,750.00
12"	\$268,750.00

- d. **Grinder Pump Charge** For all connections requiring use of a grinder pump the charge shall be billed at actual cost for time, materials, and service charges as needed.
2. Pursuant to Section 30-240 of the Code, interest at a rate of prime plus 2% per annum shall be charged on the unpaid balance when the applicant elects to pay the frontage and trunkage charges, or any part thereof, in installments.
3. Pursuant to Section 30-241 of the Code, the following Sewer Rates and Other Charges are established:
- a. **\$4.59** per 100 cubic feet of water utilized per calendar quarter plus a quarterly readiness-to-serve charge determined as follows:

5/8 & 3/4"	\$12.00
1"	\$30.00
1-1/2"	\$60.00
2"	\$96.00
3"	\$196.00
4"	\$300.00
6"	\$600.00
8"	\$960.00
10"	\$1,380.00
12"	\$2,580.00

- b. Charge for single- and two-family residences not connected to public water - \$75 per quarter
- c. Meter test - \$100
- d. Development plan review and inspection, including testing and compiling construction records for subdivisions, site condominiums, multi-family dwellings and other types of residential, commercial or industrial developments where a sewer line and/or stub is constructed as part of the development - shall be charged at cost for labor, materials and any necessary services. e. Service call for turn-on, turn-off, meter removal and/or meter re-installation (exclusive of emergency situations)- \$50 each time
- f. Temporary metered discharge to System - \$100 plus commodity charge. The commodity charge may be adjusted on a case-by-case basis when requested by a commercial or industrial customer. Each request will be reviewed by the Water and Sewer Committee, who will then establish a revised temporary rate
- g. Service for meter reading outside the regular meter reading schedule for special billing purposes - \$50
- Charges for partial quarters shall be prorated.

4. Pursuant to Section 30-245 of the Code, service calls for repair/replacement of damaged meters and/or sewer lines shall be charged actual costs for labor, materials and any necessary services.
5. This resolution shall be effective immediately and shall be applicable for the current quarter beginning on **January 1, 2018** and continuing thereafter until modified by future resolution of the Board
6. All resolutions in conflict herewith in whole or in part are hereby revoked to the extent of such conflict.

Roll call vote: Yes: Kmetz, Rasmussen, Sroka, Keson, and Piper.
 No: Enbody.
 Absent: Nordlund.

Resolution declared adopted.

B. Water Rate Resolution – Board members reviewed the proposed changes to the Water Rate Resolution which include a change in the usage rate from \$3.22 to \$3.29 per hundred cubic feet and to provide for an effective date of January 1, 2018. The change represents a 2.2% increase based on the CPI-U (Consumer Price Index For All Urban Consumers). Enbody again stated she was opposed to the effective date of January 1st and would prefer an effective date of April 1st in order to inform customers of the rate increase prior to usage of the utility at the increased rate.

The following **Resolution** was offered by Piper, and supported by Kmetz:

WATER RATE RESOLUTION

WHEREAS, Code of Ordinances, Chapter 30, Article II – Water System (the “Code”) provides that the Township Board shall establish water 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:

1. Under Section 30-61 of the Code, the following charges are established for the Township’s water system (“System”):

- a. Water Service Tap Installation Charge A connection to the System as provided in the Code for which a tap has previously been installed without cost to the Township), shall be charged at cost. The tap installation charge for any other connection shall be as provided in the following table:

5/8 & 3/4”	\$750.00
1”	\$825.00
1-1/2”	\$900.00
2”	\$1,000.00
Over 2”	At cost

At cost calculations will include time and materials.

- b. Frontage Charge A connection to the System as provided in the Code shall be \$25 per front lineal foot.
- c. Benefit Charge For all connections, except those connections served directly by the City of Ludington water system, the charge shall be as follows:

5/8 & 3/4”	\$425.00
1”	\$1,063.00
1-1/2”	\$2,125.00
2”	\$3,400.00
3”	\$6,800.00
4”	\$10,625.00
6”	\$21,250.00
8”	\$34,000.00
10”	\$48,875.00
12”	\$91,375.00

2. Pursuant to Section 30-62(c) of the Code, interest at a rate of prime plus 2% per annum shall be charged on the unpaid balance when the applicant elects to pay the frontage and benefits charges, or any part thereof, in installments.

3. Pursuant to Section 30-63 of the Code, the following Other Charges are established:

- a. Metered fire hydrant use (including cost for filling a swimming pool or providing water for a construction project) - \$100 plus cost of water used
- b. Meter test - \$100
- c. Service call for turn-on, turn-off, meter removal and/or meter re-installation (exclusive of emergency situations)- \$50 each time
- d. Service call for turn-on after delinquent water bill paid - \$50

- e. Cross connection enforcement/turn-off - \$150
- f. Service for meter reading outside the regular meter reading schedule for special billing purposes - \$50
- g. Development plan review and inspection, including testing and compiling construction records for subdivisions, site condominiums, multi-family dwellings and other types of residential, commercial or industrial developments where a water main and/or system service line is constructed as part of the development - at actual cost for time, materials, and service charges as needed.

4. Pursuant to Section 30-64 of the Code, water rates for water provided to each premises connected to the Pere Marquette Charter Township Water System are established as follows: For water utilized, **\$3.29** per 100 cubic feet, plus a quarterly readiness-to-serve charge determined as follows:

5/8 & 3/4"	\$13.50
1"	\$34.00
1-1/2"	\$68.00
2"	\$108.00
3"	\$216.00
4"	\$338.00
6"	\$675.00
8"	\$1,080.00
10"	\$1,553.00
12"	\$2,903.00
Standby fire line	\$90.00
Hydrant charge	\$90.00

Charges for partial quarters shall be prorated.

(The following portion adopted January 9, 2018)

5. Notwithstanding the provisions in Section 4 above, with regard to Michigan Power Limited Partnership and per the Water Supply Agreement between them, the Township, and the City of Ludington, the usage rate for water shall be **\$1.13** per 100 cubic feet. The monthly readiness-to-serve charge shall be equal to the wholesale readiness-to-serve charge billed to the Township by the City as per the Wholesale Water and Sewer Agreement between the Township and the City.

6. Pursuant to Section 30-64 of the Code, the Township shall pay an annual charge of \$75 per hydrant to the Pere Marquette Water Department for water supplied through fire hydrants for fire protection or other purposes.

7. Pursuant to Section 30-34 of the Code, service calls for repair/replacement of damaged meters or water service lines shall be charged the actual costs for labor, materials and any necessary services.

8. This resolution shall be effective immediately and shall be applicable for the current quarter beginning on **January 1, 2018** and continuing thereafter until modified by future resolution of the Board.

All resolutions in conflict herewith in whole or in part are hereby revoked to the extent of such conflict.

Roll call vote: Yes: Piper, Keson, Sroka, Rasmussen, and Kmetz.
 No: Enbody.
 Absent: Nordlund.

Resolution declared adopted.

C. **Consider Contract for Custer Sewer Billing** – Sroka explained the contract was a five-year renewal with no increase in fees and no changes from the previous contract. The Township provides sewer billing services for 128 customers per quarter. The contract has been approved by the Village of Custer.

Moved by Rasmussen, seconded by Piper to approve the Contract for Sewer/Water Billing Services with Village of Custer for a period of five years beginning with the first quarter billing of March 1, 2018, and authorize the township supervisor and township clerk to sign the contract on behalf of the Township.

Motion carried.

D. **Consider Playground Equipment Bids** – Smith reviewed the communication from M.C. Smith and Associates which explained that bid packages were sent to six playground manufacturers and three bids were received. M.C. Smith recommended the low bid from Playworld Systems with a base bid of 28,495.00 and alternate cost of \$1,600.00 for Playworld Systems to supervise and coordinate the community build of the playground equipment.

Moved by Rasmussen, seconded by Sroka to authorize the purchase of playground equipment from Playworld Systems at a cost of \$30,095.

Motion carried.

E. **Closed Session** – The Board will consider entering into closed session pursuant to Subsection 8(h) of the Open Meetings Act, MCL 15.268(h) and Subsection 13(1)(g) of the Freedom of Information Act, MCL 15.243(1)(g).

Moved by Enbody, seconded by Rasmussen that the Township Board enter into closed session to discuss the contents of a written memorandum provided by Township attorney(s) from the American Center for Law & Justice, pursuant to Subsection 8(h) of the Open Meetings Act and Subsection 13(1)(g) of the Freedom of Information Act.

Roll call vote: Yes: Kmetz, Rasmussen, Sroka, Keson, Enbody, and Piper.
No: None.
Absent: Nordlund.

Motion carried at 6:47 p.m.

Moved by Keson, seconded by Kmetz that the Township Board return from closed session held to discuss the contents of a written memorandum provided by Township attorney(s) from the American Center for Law & Justice, pursuant to Subsection 8(h) of the Open Meetings Act and Subsection 13(1)(g) of the Freedom of Information Act.

Roll call vote: Yes: Piper, Enbody, Keson, Sroka, Rasmussen, and Kmetz.
No: None.
Absent: Nordlund.

Motion carried at 8:05 p.m.

COMMITTEE REPORTS: Personnel Committee (Keson) – Reported the committee met to review the job description for the building inspector and reviewed reimbursement for Tom Fulker who is filling in as building inspector until a new one can be hired. The reimbursement agreement / contract will come to the board for approval at a later date.

OFFICERS REPORTS: Clerk (Enbody) – Reported the auditor was at the township the week of February 20th and the week of March 5th to work on the audit and will be sending financial statements back for review prior to his audit presentation to the board. Reported attending mandatory training for the Qualified Voter File system and for required accreditation certification for the training of election inspectors. Enbody provided a list of current invoices for approval.

Moved by Enbody, seconded by Piper to approve payment of invoices totaling \$492,733.22. Motion carried.

Treasurer (Sroka) – Provided a report detailing quarterly cash, bank and investment balances by fund and by bank account for the fourth quarter of 2017 and for the months of December 2017 and January 2018.

Supervisor (Keson) – Reported the opening session of the 2018 Board of Review took place on Monday and will finish up on Wednesday; attended a meeting with MDOT and Mason County Sheriff regarding the Jebavy Drive intersection; will be meeting with the National Parks Service on the Dow property acquisition and reported that the City of Ludington and Epworth Heights are both planning to contribute to the cost of the water main upgrade on M-116.

ANNOUNCEMENTS: Nominating petitions are available for the office of township treasurer which will appear on the ballot for the August primary and November general elections. The filing deadline is April 24nd at 4:00 p.m.

ADJOURNMENT: The meeting was adjourned by the Supervisor at 8:17 p.m.