

**REGULAR MEETING  
June 11, 2019**

**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, James Nordlund Sr., and Henry Rasmussen.  
Board member absent: Treasurer Jacalyn Sroka.  
Also present: Devon Hall, Jerry Bleau, Andy Larr, Larry Gaylord, Kelly Smith, Tom Murphy,  
and Fran Kalchik.  
Present for a portion of the meeting: 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 from the regular meeting on May 14, 2019 were approved by consent.

PUBLIC COMMENT: Sheriff Cole reported on eighty-seven calls for service in May 2019.

APPROVAL OF AGENDA: **Moved** by Enbody, seconded by Piper to amend Item A. to "Consider Approval of Easements" and to approve the agenda as amended. Motion carried.

NEW BUSINESS: **Consider Approval of Easements** – Keson explained that Consumers Energy is requesting a property maintenance agreement in order to maintain their utility lines on two parcels owned by the township. The first property is Lot 28 in the First Street Business Park and the second property is the water tower parcel in the Pere Marquette Industrial Park. The utility lines are located along the east side of the property(s) along Meyers Road. Consumers Energy has agreed to pay the Township \$4,000.00 in consideration for the easement.

Easement for the Protection of Electric Facilities:

**Moved** by Rasmussen seconded by Kmetz to approve the permanent Easement for the Protection of Electric Facilities between the Township and Consumers Energy Company and to authorize the Supervisor and Clerk to sign the Easement Agreement on behalf of the Township.

Parcel ID: 53-010-699-002-028-00

The easterly 75 feet of Owner's Land, described as:

A parcel of land in the Southeast ¼, Section 13, Town 18 North, Range 18 West, described as: Commencing at the Southeast corner of said Section 13; thence North 01°21'32" West, 663.59 feet along the East line of said Section 13; thence North 86°40'29" West, 33.11 feet to the West right of way line of Meyers Road (66 feet wide) and the POINT OF BEGINNING; thence continuing North 86°40'29" West, 833.45 feet; thence North 60°28'11" West, 231.70 feet; thence North 18°37'29" West, 263.31 feet; thence Easterly 86.88 feet along a 50 foot railroad right of way line on a 11409.16 foot radius curve to the right, the long chord bearing North 89°01'07" East, 86.88 feet; thence North 89°14'12" East, 1020.83 feet along said railroad right of way line; thence South 01°21'32" East, 427.27 feet along said West right of way line of Meyers Road to the POINT OF BEGINNING.

Parcel ID 53-010-699-001-017-10

The Easterly 108 feet of Owner's Land, described as:

A parcel of land in the Southeast ¼, Section 24, Town 18 North, Range 18 West, described as: BEGINNING at the Northeast corner thereof; thence North 89°37'17" West, 299.00 feet along the North line thereof; thence South 02°33'29" West, 200.00 feet; thence South 89°37'17" East, 299.00 feet; thence North 02°33'29" East, 200.00 feet to the POINT OF BEGINNING. Subject to a 100 foot wide easement for DOW Chemical and underground utilities along the North side thereof, (Sixth Street) and a 50 foot wide easement for DOW Chemical along the East side thereof, (S. Meyers Road).

Motion carried.

Keson stated there are four additional Easement Agreements for consideration between the Township and Occidental Chemical Corporation. The Easement Agreements are continuances of existing easement agreements on the Sutton's Landing property that have been in place since 1976, 1984, and 1986. The original easements were for a term of fifty years with a year-to-year renewal thereafter. The new Easement Agreements have been updated to reflect the easement(s) in perpetuity. Occidental Chemical Company has agreed to pay the Township \$1.00 for each foot of the easement area for its entire length.

**Moved** by Piper, seconded by Kmetz to approve the Easement Agreements between the Township and Occidental Chemical (Oxy Chem) Company and to authorize the Supervisor and Clerk to sign the Easement Agreement(s) on behalf of the Township.

Easement Agreement:

A 50' right of way across the Northeast ¼ of the Southeast ¼ of Section 26, Town 18 North, Range 18 West, Per Marquette Charter Township, Mason County, Michigan, described below:

A 50' wide easement being 10' Easterly and Northerly of and 40' Westerly and Southerly of a line described as commencing at the Southeast corner of said Section 26; thence N. 00°43'19" West, 1814.00' along the East line of the Section thence North 22°59'24" West 200' to the POINT OF BEGINNING; thence North 21°09'28" West, 120'; thence North 09°31'25" East, 284'; thence North 76°29'25" West, 464'; thence South 65°25'30" West, 223' to the Southeasterly line of Oxy property being the POINT OF ENDING.

This description amends previous easement description in agreement dated December 28, 1976. Recorded Liber 92, pages 129/133.

Easement Agreement:

A 50' wide easement being 25' either and both sides of a line described as commencing at the Southeast corner of said Section 26, Town 18 North, Range 18 West; thence N 01°26'28" West 1320.78 feet along the East line of the Section to the South 1/8 line of the Section, thence North 88°47'04" West 25 feet along the South 1/8 line of the Section to the Point of Beginning; thence North 01°26'28" West 770 feet parallel with the East line of the Section to the Point of Ending.

Easement Agreement:

An easement for a right of way extending 25 feet either side (total width – 50 feet) of a line a portion of which lies in Section 25 and a portion of which lies in Section 26, Town 18 North, Range 18 West, Pere Marquette Charter Township, Mason County, Michigan, with said portions of said line for the license granted herein for the right of way more particularly described as follows:

Section 25 portion of license for right of way:

Commencing at the SW Corner of said Section 25, thence North 00°43'19" West, 2033.24' along the West line of said Section 25 to the Point of Beginning which is South 00°43'19" East, 502.91' from a concrete monument located on the South bank of the South Branch of the Pere Marquette River; thence South 63°07'17" east, 104.91' to the Southerly ditch of Iris Road as now located; thence within the Southerly 40' right of way of Iris Road Northeasterly, 171.88' along the centerline of the Southerly ditch of Iris Road on a curve to the right having a Radius – 433.00' and Long Chord – North 51°42'29" East, 170.75'; thence within the Southerly 40' right of way of Iris Road and the Westerly 60"; right of way of U.S. 31 as now located, North 68°23'05" East, 122.10' to the centerline of U.S. 31 being the Point of Ending. Subject to any part thereof used or deeded for public road purposes.

Section 26 portion of license for right of way:

Commencing at the Southeast Corner of said Section 26, thence North 00°43'19" West, 2033.24' along the East line of said Section 26 to the Point of Beginning which is South 00°43'19" East, 502.91' of a concrete monument located on the South bank of the South Branch of the Pere Marquette River; thence North 63°07'17" West, 28.21'; thence North 00°43'19" West, 383.82' being parallel and 25' Westerly of the East line of said Section 26; thence North 80°15'28" West, 472.35'; thence South 65°25'30" West, 289.02' to an Easterly line of the Oxy property being the Point of Ending.

Easement Agreement:

A 50' wide easement being 25 feet either and both sides of a line described as commencing at the Southeast corner of said Section 26, Town 18 North, Range 18 West; thence North 01°26'28" West 1320.78' along the East line of Section 26 to the South 1/8 line of Section 26; thence North 88°47'04" West 494.53' along the South 1/8 line to the Southeasterly corner of the Dow Well #22 property; thence North 38°56'16" East 203.77' along the right of way of Iris Road; thence North 57°37'41" West 86.08' along the Northeasterly line of the Dow Well #22 property to the Point of Beginning; thence North 03°35'38" East 190.54', thence North 08°14'24" West 379.59', thence North 43°28'18" West 280.60', thence North 74°12'06" West 103.5', thence North 48°25'06" West 27.71' to the Point of Ending being North 46°12'03" East 55.53' from the corner of the Pere Marquette Charter Township property.

Motion carried.

**COMMITTEE REPORTS:** Planning Commission (Kmetz) – Reported conducting and approving a site plan for Phase II for UACJ Automotive for the construction of a 200 x 550 addition to the existing facility in the Industrial Park.

Architectural Control Committee (Keson) – Reported the committee met to review the construction plans, specification and site drawings for UACJ Automotive. The addition will create approximately fifty new jobs.

**EMPLOYEE REPORTS:** Assessor (Hall) – Reported that he has taken a lot of calls for information from brokers, salespeople and potential buyers and believes this will be a good real estate year judging by the increased activity.

Building/Zoning Administrator (Bleau) – Provided a report detailing permit activity for May 2019.

DPW/Water/Sewer Superintendent (Larr) – Reported working on annual water quality reports. Applications are being reviewed and interviews will be scheduled soon to replace Dennis Heffner who retired in May.

Fire Department (Gaylord) – Reported on twenty-three responses and two meetings in May 2019, with May totals at nineteen fewer runs than the 2018 totals. The windstorm earlier this month had ten calls for just the single day, bringing year-to-date totals to twelve fewer runs than last year. Reported receiving an offer for the retired fire truck and air pacs.

Parks Manager / Code Enforcement (Smith) – Reported the parks are busy and had a busy Memorial Weekend. The re-tiling of the bathrooms at Buttersville Park is complete and personnel are working on beach work and some other items. Reported no issues from the recent storm. Reported that he and Bleau have been busy with Code Enforcement.

**OFFICERS REPORTS:** Clerk (Enbody) – Reported creating budget spreadsheets in order for department heads to begin working on their 2020 budget requests; all required 2018 financial reporting has been completed and submitted; the post-election audit was completed, with the township passing all requirements including a hand count of the ballots which returned the identical results from the tabulated ballots on election day; working on gathering and uploading documentation required for the Dow property acquisition; reported increased activity in sales and inurnments for the Columbarium; reported on seven FOIA requests received to date; will be attending the Clerk's Annual Conference next week. Enbody provided a list of current invoices for approval.

**Moved** by Enbody, seconded by Piper to approve payment of invoices totaling \$105,946.23. Motion carried.

Treasurer (Sroka) – Absent.

Supervisor (Keson) – Provided a report from Stantec Consulting Services, Inc., which analyzed the cost to produce water by the Township vs. the water purchased from the City of Ludington and explained the results of the study which concluded that it is more costly for the Township to produce water rather than purchase water. Keson will be meeting with the EGLE (Michigan Department of Environment, Great Lakes, and Energy, formerly the DEQ) regarding the two systems for the purpose of determining the fate of the wells if the Township were to change to a system of entirely purchased water. Keson attended a City of Ludington Public Safety Committee Meeting that was reviewing fireworks regulations in order to determine what direction they would be taking on changing their regulation. Keson received a request for a water and sewer connection for a property on Jebavy Drive. Hallack Contracting provided a quote for \$52,500.00 to enable the township to provide services to the parcel.

**EXTENDED PUBLIC COMMENT:** Fran Kalchik inquired about the status of the acquisition of the Dow property.

**ADJOURNMENT:** The meeting was adjourned by the Supervisor at 7:12 p.m.