

**REGULAR MEETING
October 24, 2023**

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

Board members present: Clerk Rachelle Enbody; Trustees: Andrew Kmetz, James Nordlund, Sr., Henry Rasmussen, and Ronald Soberalski.
Board member(s) absent: None.
Board position vacant: Supervisor.
Also present: County Commissioner Lewis Squires, Sheriff Kim Cole, Leanne Chaltron, Russell Fulker, Dave Bossick (Ludington Daily News),

The meeting was called to order at 6:00 p.m. by the Clerk. Invocation was given by Nordlund; Pledge of Allegiance was recited by all.

Moved by Enbody, seconded by Nordlund to appoint Kmetz as President Pro Tem for this meeting. Motion carried. Kmetz assumed chairmanship of the meeting.

APPROVAL OF MINUTES: **Moved** by Rasmussen, seconded by K. Bleau to amend the portion of the Election Commission Committee Report to read “the Commission ~~met~~ will meet on October 12th” and to approve the minutes of the October 10, 2023 regular meeting as amended.

Motion carried.

PUBLIC COMMENT: Public comment was held.

APPROVAL OF AGENDA: **Moved** by Nordlund, seconded by Soberalski to add Item F. Consider Short Term Professional Services Agreement, to address questions received during public comment under Unfinished Business and to approve the agenda as amended.

Motion carried.

UNFINISHED BUSINESS: Enbody addressed questions that were received during the public comment portion.

- The status of the FOIA request for emails sent and received by Rachelle Enbody: The FOIA request was withdrawn.
- The status of the FOIA request for an employee’s text messages: The requestor was provided with a good faith estimate for a deposit in order to proceed with the request. The request was considered abandoned when the deposit was not received within 45 days of providing the estimate for the good faith deposit.
- The status of purchase agreement for the property on S. Pere Marquette Hwy.: Correspondence was received on 10/24 from the township attorney stating that the property owner filed with the court and that the Township is now required to file initial disclosures with the Court.
- The status of the Pallets Recycle property: The realtor contacted the Township with the information that all parties intend to proceed with the sale and that the closing of the property will be scheduled in the near future.
- The status of the Forensic Audit: The Forensic Audit was distributed to all board members earlier this month.

NEW BUSINESS: A. **Consider Water Rate Resolution #2023-11** – It was discovered that the quarterly hydrant charge was incorrectly increased to \$100 per quarter beginning January 1, 2023 when Water Rate Resolution #2023-5 was adopted. The correct rate for the hydrant charge is \$90 per quarter. Customers will be credited for the rate error.

The following **Resolution** was offered by Nordlund, and supported by Rasmussen:

**PERE MARQUETTE CHARTER TOWNSHIP
WATER RATE RESOLUTION #2023-11**

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 (For all connections, except those connections to the portion of the System, as defined in the Water Ordinance, financed by a Water Special Assessment District in which the construction of the water tap 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:

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. Frontage cost will be divided by 2 if connections are available on both sides of the road.
- 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, **\$3.93** per 100 cubic feet, plus a quarterly readiness-to-serve charge determined as follows:

5/8 & 3/4"	\$14.00
1"	\$35.25
1-1/2"	\$70.50
2"	\$112.00

3"	\$224.00
4"	\$350.50
6"	\$700.00
8"	\$1,120.00
10"	\$1,610.00
12"	\$3,010.00
Standby fire line	\$90.00
Hydrant charge	\$90.00

Charges for partial quarters shall be prorated.

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 \$1.41 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, 2023 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: Soberalski, Rasmussen, K. Bleau, Enbody, Kmetz, and Nordlund.
No: None.
Absent: None.

Resolution declared adopted.

B. Consider Hydrant and/or Fire Suppression Prior and Current Charges – Leanne Chaltron, assistant to DPW, Parks, Water and Sewer explained that she has been reviewing the water and sewer accounts and has identified billing errors in the fire suppression and hydrant charges on some of the commercial accounts in the utility billing program. Chaltron is requesting that the board provide guidance to resolve the billing errors. Board members requested a detailed list and verification of charges of the accounts that can be billed retroactively within the time frame allowed by statute.

Moved by Soberalski, seconded by Nordlund to postpone consideration of hydrant and/or fire suppression prior and current charges until a detailed list of the affected accounts is provided and verified.

Motion carried.

C. Consider Recommendation for Roads Committee – Board members reviewed a cost estimate from the Mason County Road Commission for a project at Orchard Avenue and Terri Court. The estimate was requested to alleviate a drainage problem in the area. The project cost will be shared between Pere Marquette Charter Township and the Mason County Road Commission with the Road Commission applying the Township's 2024 cost share allocation to the Mason County Road Commission's portion. J. Nordlund added that the Roads Committee has discussed multiple solutions and narrowed the options down to the addition of the berm and lip gutter as the most logical solution.

Moved by Enbody, seconded by Rasmussen to approve the estimate for improvements to the Northwest Quadrant of Orchard Avenue and Terri Court at an estimated cost of \$7,350.58 to construct approximately 120 lineal feet of HMA lip gutter and approximately 150' of earthen berm to prevent rainwater from flooding the Greene residence.

Motion carried with Soberalski opposed.

SHERIFF / COUNTY COMMISSIONER REPORT(S): County Commissioner Lewis Squires reported the Commission will consider candidates for appointment to the 2nd County Commission District and that there will be a closed session to consider candidates for the county administrator position at the Commission meeting later today.

Sheriff Cole reported on fifty-five calls for service in September 2023.

D. Consider Recommendation for Personnel Committee – Kmetz reported that the Personnel Committee reviewed the job description for the campground manager position. The committee is recommending removal of reporting to a Campground Administrator and changing the position status from seasonal full time to regular part time. Soberalski questioned if the description should be reviewed by the incoming supervisor before the board approves it. Enbody responded that the job description can be amended at any time. K. Bleau added that the current job description only allows the campground manager to work through October and they would be unable to continue working without approving the change to regular part time status.

Moved by K. Bleau, seconded by Nordlund to approve the job description for Campground Manager as presented.

Motion carried with Soberalski opposed.

E. Consider Execution of Agreement for Election Services for Early Voting Site – Board members were provided with a copy of the Agreement for Election Services for Early Voting Site between Mason County and the following townships: Amber, Branch, Custer, Eden, Free Soil, Grant, Hamlin, Logan, Meade, Pere Marquette Charter, Riverton, Sheridan, Sherman, Summit, Victory, and the City of Scottville. The parties have agreed that the most cost-effective method to provide the constitutionally required nine days of early voting would be to consolidate the precincts to a centrally located early voting site and enter into a county agreement to authorize the county to conduct early voting. Enbody is requesting approval for the execution of the agreement which includes the responsibility of the secure storage and transportation of the early voting equipment.

Moved by Nordlund, seconded by Rasmussen to acknowledge the establishment of an early voting site at the Mason County District Library, 204 E. State Street, Scottville, and back up contingency location of the Custer Township Hall and to approve the Township Clerk to accept the responsibility of the secure storage and transportation of the early voting equipment to and from the Early Voting Site as per the Agreement for Election Services for Early Voting Site.

Motion carried.

F. Consider Short Term Professional Services Agreement – (added) Enbody explained that the agreement was received by the township attorney today and that Mr. Fulker had the opportunity to review and accept the terms of the agreement prior to the meeting in order to provide building official services to the township on an interim basis.

Moved by Rasmussen, seconded by Enbody to approve the Short-Term Professional Services Agreement between the Township and Thomas I. Fulker to perform building permit application review per the terms of the Agreement and to authorize the Township Clerk to sign the Agreement on behalf of the Township.

Motion carried.

ANNOUNCEMENTS: The Election Commission will meet at 9:00 a.m. on October 25, 2023 to conduct the Public Accuracy Test for the November 7, 2023 Special Election.

EXTENDED PUBLIC COMMENT: Public comment was held.

ADJOURNMENT: Moved by Soberalski, second by Enbody to adjourn the meeting at 7:16 p.m. Motion carried.

Rachelle D. Enbody, MiPMC², CMC Township Clerk

Andrew Kmetz, President Pro Tempore