

**REGULAR MEETING**  
**May 9, 2023**

**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, James Nordlund Sr., Henry Rasmussen, and Ronald Soberalski.

Board member(s) absent: No members absent.

Also present: Sheriff Kim Cole, Riley Kelley (Ludington Daily News), James Bernier (JMB Associates, LLC), Larry Gaylord and numerous guests.

Present via Zoom: Township Attorney William Richardson (Fahey Shultz Burzych Rhodes) and Thomas Armintrout (Burnham & Flower).

The meeting was called to order at 4:00 p.m. by the Supervisor. Invocation was given by Nordlund; Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES: **Moved** by Nordlund, seconded by Rasmussen to approve the minutes from the meeting on April 11, 2023 as presented.

SHERIFF / COUNTY COMMISSIONER REPORT(S): Sheriff Cole reported on forty-five calls for service in April 2023.

DEPARTMENT REPORTS: The following department reports were received: Building & Zoning Departments, Code Enforcement, Fire Department, Deputy Clerk, and Treasurer. Gaylord gave a verbal report of fire department activity.

PUBLIC COMMENT: Public comment was held.

APPROVAL OF AGENDA: **Moved** by Soberalski, seconded by Nordlund to move NEW BUSINESS Item F. Closed Session from Item #14. to Item #18 CLOSED SESSION, to move ADJOURNMENT to #19, and to approve the agenda as amended.

Motion carried.

COMMUNICATIONS:

- A letter was received from Charter Communications notifying customers that effective May 16, 2023, the price for unreturned residential embedded multimedia terminal adapters will reduce by \$1.00 per month.
- Draft minutes of the Lincoln Lake Improvement Board meeting on May 4, 2023.

UNFINISHED BUSINESS: A. **Consider Adoption of Policies and Procedures**

- a. Buttersville Campground Cash Handling Process

K. Bleau presented the Buttersville Campground Cash Handling Process which provides for the process of collection of campground revenues.

**Moved** by Nordlund, seconded by Soberalski to adopt the Buttersville Campground Cash Handling Process.

Motion carried.

- b. Purchasing and Bid Policy

Enbody reviewed the proposed revisions to the Purchasing and Bid Policy. The revisions included a change to the definitions of Department Heads, updating the spending limit of Department Heads from \$500.00 to \$1,000.00, the requirement of quotes for purchases under \$5,000.00, adding the Clerk and/or Deputy Clerk to processes in case absence, and reinstating the language allowing the ability to pay invoices in advance when payment results in saving of late payment costs or fees.

**Moved** by K. Bleau, seconded by Kmetz to adopt the Purchasing and Bid Policy.

Motion carried.

COMMITTEE REPORTS: Roads Committee (Nordlund, Kmetz, Rasmussen): Information reported under Agenda Item E.

Personnel Committee (Kmetz, Rasmussen, Nordlund): Kmetz reported that the committee met twice since the last board meeting to review a proposal from F&V Operations and Resource Management, Inc. The proposal was that F&V would assume operations of the Township's water and sewer operations and provided the cost estimates to the Township for their services. After reviewing the proposal and analyzing the water and sewer financial reports the committee could not determine a financial benefit for turning over the water and sewer operations to F&V.

Planning Commission (K. Bleau): K. Bleau reported the commission approved a conditional use permit for the construction of a pole building on North Rath Ave.

Sewer & Water Committee (K. Bleau, G. Bleau, Nordlund): G. Bleau reported the committee met to review a petition for a special assessment project on Hazelwood Drive.

LMTA Representative (Enbody): The April 2023 LMTA meeting was cancelled – no report.

NEW BUSINESS: A. **Consider Bids for Pere Marquette River Community Access** – Board members reviewed a communication from Melinda Whitten of MCSA Group, Inc. which evaluates the bids received for the Pere Marquette River Community Access Project.

CONTRACTOR	BASE BID
Rieth-Riley Construction Co. Inc.	\$1,857,002.60
Griffith Builder, Inc.	\$2,117,000.00

James Bernier, JMB Associates, LLC, reviewed the recommendations presented by MCSA Group. MCSA recommends accepting two alternatives proposed by Rieth-Riley that will reduce the cost. The alternatives include the elimination of the herbicide under the driveway and parking lot paving and a substitution of 22A crushed concrete in place of 21AA limestone aggregate that will reduce the costs by \$5,800.00 and \$10,400.00, respectively. MCSA also recommends the addition of a \$75,000.00 contingency allowance which would bring the contract award total to \$1,926,202.60. Mr. Bernier reviewed the funding status support for the project:

FUNDING SOURCE	AMOUNT	COMMENTS
Michigan Waterways Grant	\$ 183,000	Awarded in 2021
Federal Land & Water Conservation Fund Grant	\$ 500,000	Awarded in 2022
Thomas Paine Family – Metalworks, Inc.	\$ 250,000	Facilitated through Community Fund
John & Anita Wilson Pennies from Heaven	\$ 250,000	Direct grant
Great Lakes Fishery Trust Grant	\$ 317,400	Supports the fishing piers/boardwalk
Pere Marquette Twp – Capital Improvement Fund	\$ 300,000	
Community Foundation – Mason County Grant	\$ 10,000	Grant supports the site entry sign
TOTAL	\$ 1,810,400	

One additional grant proposal for \$15,000 is pending.

**Moved** by Soberalski, seconded by Kmetz to approve the bid received from Reith-Riley Construction Co., Inc. with a base bid of \$1,857,002.60 and an estimated total Project Construction Cost of \$1,926,202.60 for the Pere Marquette River Community Access project.

Motion carried.

B. **Michigan Sparks Program Update** – James Bernier, JMB Associates, LLC reported on the status of the Michigan Sparks Community Recreation Development Grant. The Township submitted a grant application in 2022. The program was announced in 2022 and initially designed to distribute recreation project grant funds to communities throughout Michigan with funding made possible through American Rescue Plan Act funding. The grant application was requesting funding for the Pere Marquette Conservation Park Entry & Trail Project seeking \$899,000 with a \$100,000 match from the Township. The initial response for the Michigan Sparks Grant funding was much stronger and the requests were much higher than with traditional DNR recreation grant programs. In the first round of grant applications, the DNR received 462 proposals totaling \$281 million. Only twenty-one of the projects were funded for a total first round funding amount of \$14.2 million. The Township's application was ranked in Tier 7 of 10 Tiers. On April 21, 2023, the State announced that the program has been revised. A second competitive round with \$23 million available in funding will open May 1 with application due June 26. The State then identified a list of "opportunity communities" to which the

remaining \$27.5 million will be made available through a partnership with the Council of Michigan Foundations. Mr. Bernier explained that the Township has three options to consider in order to submit an application for the second round of funding. The township is not eligible for the third round of funding. The options are as follows: 1) Resubmit the grant “as is”. The chances for success are almost zero. 2) Resubmit the grant with a larger match from the Township to help improve the application score. 3) Do not resubmit and break the project into two projects and apply for a conventional recreation grant. Mr. Bernier recommended option 2 and increasing the Township match to \$300,000. If the MI Sparks funding is not awarded to the Township, the Township would still be able to break the project into two projects and submit new applications for conventional recreation grants for the project.

**Moved** by Soberalski, seconded by K. Bleau to resubmit the MI Sparks grant application with a Township match of \$300,000.

Motion carried.

C. **Health Care Plan Information** – Tom Armintrout of Burnham and Flower gave an overview of the township health insurance. With the passage of the Affordable Care Act, small employers have fewer options than they had prior to the Act when deciding on health care plans. The Township currently has a high deductible plan with a health savings account (HSA). When the Township plan was renewed for 2023 the Agent and the Township were unaware that the out-of-pocket maximum amounts increased or that the prescription drug coverage co-pays increased in the two-tier and specialty drug categories. It is not known at this time if the changes have had any effect on the employees and there is not a way to ask employees if they have been affected without violating HIPPA laws. Mr. Armintrout offered to draft an email that would inform the employees of the plan changes.

D. **Consider Resolution 2023-7 for Re-Authorizing Tax Administration Fee and Imposing a Late Penalty Charge on Property Tax Collections** – K. Bleau stated that as a best practice, the township board should review the tax administration fee and late penalty charge on annual basis. The late penalty charge is set at 3% and the board has the option to either impose no late penalty charge or to impose a 3% penalty charge. With respect to the administration fee, the board has the option to set the fee from no fee up to a fee of 1%. K. Bleau recommended that the late penalty charge remain at 3% and the administration fee remain at 1%.

RESOLUTION #2023-7  
FOR THE RE-AUTHORIZING TAX ADMINISTRATION FEE AND  
IMPOSING A LATE PENALTY CHARGE ON PROPERTY TAX COLLECTIONS

WHEREAS, Pere Marquette Charter Township, Mason County, Michigan is a township with responsibility for the assessing ad valorem property taxes, the collection of property tax levies, and the handling review and appeal matters arising therefrom, and

WHEREAS, PA 206 of 1893, MCL 211.44(3), provides for imposition of a late penalty charge equal to 3% of the tax on all taxes paid after February 14 and before March 1, and,

WHEREAS, it is the desire of this Township Board to encourage the timely payment of taxes,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Board of Pere Marquette Charter Township that: The Township Board does hereby approve and authorize the imposition of a late penalty charge equal to 3% of the tax on all taxes paid after February 14 and before March 1.

FURTHERMORE, WHEREAS PA 503 of 1982, MCL 211.44(3) as amended, provides for, among other things, the imposition of a property tax administration fee on property taxes; and

WHEREAS, it is the desire of this Township Board to approve and authorize the imposition of a property tax administration fee in accordance with the provisions of MCL 211.44(3) as amended.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Pere Marquette Charter Township Board that:

1. The Township Board does hereby approve and authorize the imposition of a property tax administration fee of one percent (1%) each on all property taxes billed July 1 annually (summer tax collection) and on December 1 annually (winter tax collection).

2. As used in this resolution, the term “property tax administration fee” is defined as a fee to offset costs incurred by the Township in assessing property values, collecting the property tax levies and in the review and appeal process.

3. The Treasurer is hereby directed and authorized to take such steps as may be necessary to implement the provisions of this resolution.

4. In addition, the Township Board hereby reserves the right and authority to waive all or part of the property tax administration fee imposed by this resolution for a specific tax levy and collection period by the adoption of a resolution to that effect.

5. This resolution shall continue in full force and effect unless and until revoked or rescinded by resolution of this Township Board.

6. All resolutions or parts of resolutions in conflict with the provisions of this resolution be and the same are hereby rescinded.

The foregoing resolution was offered by K. Bleau and supported by Enbody.

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

Resolution declared adopted.

E. **Consider 2023 Road Projects** – Board members reviewed a list of proposed road projects for 2023.

**Moved** by Nordlund seconded by Rasmussen to complete the following road projects at a total estimated township cost of \$159,835.00 and to authorize the township supervisor and township clerk to sign the contracts with the Mason County Road Commission on behalf of the township:

Motion carried.

**Third St. / Second St. – Sherman Rd. east to end:**

Place HMA overlay over entire roadway  
Estimated Cost – \$31,145.10

**Sherman Rd. – Bryant Rd. north 900’:**

Place HMA overlay over entire roadway.  
Estimated Cost – \$25,929.75

**Emily Kay Ct. – John St. north including cul-de-sac:**

Place HMA overlay over entire roadway  
Estimated Cost – \$17,187.80

**John St. – Emily Kay Ct. to Katie Ct.:**

Place HMA overlay over entire roadway  
Estimated Cost – \$15,921.50

**Katie Ct. – John St. north including cul-de-sac:**

Place HMA overlay over entire roadway  
Estimated Cost – \$20,203.75

**Limouze Ave. – Nelson Rd. easterly 612’:**

Place HMA overlay over entire roadway  
Estimated Cost – \$17,180.80

**Bonnie St. – Barton St. northerly 450’:**

Place HMA overlay over entire roadway  
Estimated Cost – \$16,723.00

**Barton St. – Nelson Rd. easterly 631’:**

Place HMA overlay over entire roadway  
Estimated Cost – \$14,945.00

**Dust Control**

Estimated cost - \$598.50

Motion carried.

**OFFICERS REPORTS:** Trustees – Nordlund reported that the Amber Township Supervisor has requested to put Meyers Road on next years road project schedule with a cost share between Pere Marquette and Amber Township.

Clerk (Enbody) – Reported that the township auditor(s) will be at the Township on Wednesday to begin the audit of the 2022 financial statement. Enbody provided a list of current invoices for approval.

**Moved** by Enbody, seconded by Kmetz to approve payment of invoices in the amount of \$341,130.98. Motion carried.

Treasurer (K. Bleau) – Provided a report of bank balances for April 2023. Reported that \$11,424.63 has been collected on the 2021 utility billing error with twelve accounts still outstanding. Reported attending the second year of Treasurer’s Basic Institute and learned additional best practices with regards to investments. Kmetz questioned CD investments, interest rates, and current utility billing.

Supervisor (G. Bleau) – Reported the scrap tire clean up on the S. Pere Maquette Highway property is underway and the project should be completed by June. An extension to the closing date was presented to the property owner at 932-946 S. Pere Marquette Hwy. with no response received. Jennifer Sebolt has started as the new administrative assistant. Kmetz asked about the proposals for new door locks and Bleau explained he did not have the new bids yet. Kmetz also asked about the progress with Dr. Lew Bender and where we stand. G. Bleau explained that the administrative official met with Dr. Bender and received an assignment which was not completed and that the Township has not contacted Dr. Bender to return.

**EXTENDED PUBLIC COMMENT:** Public comment was held.

**G. Closed Session** – The Board will consider entering a closed session pursuant to Subsection 8(h) of the Open Meetings Act, MCL 15.268.

**Moved** by Kmetz, seconded by Nordlund that the Township Board meet in closed session under Section 8(h) of the Open Public Meetings Act, MCL 15.268, to consider material exempt from discussion or disclosure by state or federal law. Specifically, the Board will consider a written legal opinion exempt from disclosure under Section 13(1)(g) as information subject to the attorney client privilege.

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

Motion carried at 5:41 p.m.

**Moved** by Soberalski, seconded by Nordlund that the Township Board Township Board return from closed session under Section 8(h) of the Open Public Meetings Act, MCL 15.268, to consider material exempt from discussion or disclosure by state or federal law.

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

Motion carried at 6:14 p.m.

**ADJOURNMENT:** **Moved** by Kmetz, seconded by Nordlund to adjourn the meeting. Motion carried at 6:16 p.m.