

## EAST CHINA CHARTER TOWNSHIP

### OFFICIAL PROCEEDINGS

DECEMBER 7, 2015

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**CALL TO ORDER** – Supervisor Simons called the meeting to order at 7:30 p.m., with Clerk Kramm, Treasurer Beaudua, and Trustees Knotts, Blackstock, and Horn. Trustee Patsalis excused.

Three in the audience.

### PLEDGE OF ALLEGIANCE

**APPROVE AGENDA** – Trustee Knotts, supported by Treasurer Beaudua, moved to approve the agenda with the addition of “Unfinished Business - Open Bids for Old Equipment”. Carried.

**APPROVE MINUTES** – Trustee Blackstock, supported by Trustee Horn, moved to approve the minutes of November 16, 2015. Carried.

**CONSENT AGENDA** – Trustee Horn, supported by Clerk Kramm, moved to accept the Consent Agenda as follows: November 10, 2015 Park Commission minutes, November 2015 Building Department report, November 2015 Revenue and Expenditure report and the November 2015 Marine City Fire report. Carried.

**DISBURSEMENTS** – Treasurer Beaudua, supported by Clerk Kramm, moved to approve payment of the bills in the amount of \$153,818.23, payroll in the amount of \$69,036.80, and ACH payments in the amount of \$22,453.72. Roll call vote: Yea: Knotts, Horn, Blackstock, Kramm, Beaudua, and Simons. Carried.

**NEW BUSINESS** – Trustee Knotts, supported by Trustee Horn, moved to approve \$12,000 for a three year auditing services contract with Stewart, Beauvais & Whipple. The following items may be added annually at the discretion of the Township Supervisor; \$575 for the F-65 form, \$2,000 for implementation of GASB Statements 68 & 71, \$1,200 to assist with updating the provision of the fixed assets and depreciation schedules, \$150 to prepare the Michigan Municipal Qualifying Statement, \$250 to prepare the unbilled utility receivables and adjusting entries, and \$350 to assist calculating the OPEB obligation.

Trustee Horn, supported by Treasurer Beaudua, moved to approve a \$363.30 sewer credit to Gerald Noyes, 2102 Belle River Road, due to an outside spigot left on. Roll call vote: Yea: Horn, Beaudua, Blackstock, Knotts, Kramm, and Simons. Carried.

Treasurer Beaudua, supported by Trustee Horn, moved to approve an Agreement with the St. Clair High School Senior Parents in the amount of \$100 for the 2016 Senior All Night Party. Roll call vote: Yea: Beaudua, Horn, Blackstock, Knotts, Kramm, and Simons. Carried.

Treasurer Beaudua, supported by Trustee Horn, moved to reappoint Jo Boyer to the Beautification Committee through December 31, 2018. Carried.

Trustee Knotts, supported by Clerk Kramm, moved to reappoint Greg Towne to the Zoning Board of Appeals through December 17, 2018. Carried.

Trustee Blackstock, supported by Treasurer Beaudua, moved to reappoint Ralph Knotts to the St. Clair River Sewer and Water Authority through December 31, 2020. Carried.

Trustee Blackstock, supported by Treasurer Beaudua, moved to reappoint Robert Freehan to the Planning Commission through December 18, 2018. Carried.

**UNFINISHED BUSINESS** - Trustee Knotts, supported by Treasurer Beaudua, moved to approve the Tri-Hospital EMS Ambulance Services Agreement effective December 7, 2015. Carried.

Supervisor Simons opened the sale of old equipment and the bids were recorded by Clerk Kramm. Results will be available Tuesday, December 8, 2015. The highest bidder after minimum requirements are met will be awarded the items.

**RESOLUTIONS** – Supervisor Simons, supported by Clerk Kramm, moved to adopt Resolution 15-2015 Establishing the 2016 Township Board Meeting Dates. Carried.

**RESOLUTION 15-2015  
ESTABLISHING MEETING DATES OF THE TOWNSHIP BOARD FOR 2016**

**BE IT RESOLVED**, that the Township Board of East China does hereby establish that there will be two (2) regular monthly meetings held by the Township Board for the year 2016 as follows:

1. All regular meetings will be held at the Township Hall, 5111 River Road, East China.
2. Meetings will be held on the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Monday of each month and shall begin promptly at 7:30 p.m.
3. Dates of the meetings will be as follows:

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|---|---|
| JANUARY 4 and 18  | JULY 5 and 18 (July 4 <sup>th</sup> )                       |
| FEBRUARY 1 and 16 (February 15 <sup>th</sup> Presidents' Day) | AUGUST 1 and 15   |
| MARCH 7 and 21  | SEPTEMBER 6 and 19 (Sept. 5 <sup>th</sup> closed Labor Day) |
| APRIL 4 and 18  | OCTOBER 3 and 17  |
| MAY 2 and 16  | NOVEMBER 7 and 21   |
| JUNE 6 and 20   | DECEMBER 5 and 19   |

All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

**RESOLUTION DECLARED ADOPTED.**

Supervisor Simons, supported by Treasurer Beaudua, moved to adopt Resolution 16-2015 for Performance and Indemnification with MDOT. Carried.

**RESOLUTION -16-2015  
PERFORMANCE AND INDEMNIFICATION**

**WHEREAS**, East China Charter Township, hereinafter referred to as the "GOVERNMENTAL BODY" from time to time makes application to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT", to construct, operate, and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right-of-ways at various locations within and adjacent to it's corporate limits.

**NOW THEREFORE**, in consideration of the DEPARTMENT granting such PERMIT to the GOVERNMENTAL BODY agrees that:

1. It will faithfully fulfill all permit requirements and will indemnify, save harmless, represent, and defend the State of Michigan Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract from any and all claims of every kind for injuries to, or death of any and all persons, and for loss, or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the presence of the GOVERNMENTAL BODY'S facilities, and/or it's installation, construction, operation, maintenance, or other activities which are being performed under the terms of the PERMIT on, over and/or under the state trunkline right-of-way, except claims resulting from the sole negligence or willful acts or omissions of said DEPARTMENT, it's officers, agents, employees, and contracting governmental bodies and officers, agents, and employees thereof, performing permit activities.
2. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL BODY, or their subcontractors or any other person not a party to the PERMIT without it's specific prior written consent and notwithstanding the issuance of the PERMIT.

3. It will, by its own violation and/or request by the DEPARTMENT promptly restore and/or correct physical or operating damages to any state trunkline right-of-way resulting or arising out of the installation, construction, operation, and/or maintenance of the GOVERNMENTAL BODY'S facilities pursuant to a PERMIT issued by the DEPARTMENT.
4. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not preclude the DEPARTMENT requiring additional performance security or insurance when deemed necessary by the DEPARTMENT.
5. This Resolution shall continue in force from the date hereof until cancelled by the GOVERNMENTAL BODY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL BODY with regard to any PERMIT, which has already been issued, or activity which has already been undertaken.

**BE IT FURTHER RESOLVED**, that the following position or positions are hereby authorized to make application to the Michigan Department of Transportation for the necessary permit to work within state trunkline rights-of-way on behalf of the GOVERNMENTAL BODY.

Larry Simons, Supervisor  
Deanna Kramm, Clerk

**RESOLUTION DECLARED ADOPTED.**

Treasurer Beaudua, supported by Trustee Knotts, moved to adopt Resolution 17-2015 Amending the 2015 Budgets to increase General Fund, Township Improvement Fund, Building Inspection Department, and Township Capital Projects Fund. Carried.

**RESOLUTION 17-2015**

**AMENDING THE 2015 BUDGET TO INCREASE GENERAL FUND, TOWNSHIP IMPROVEMENT FUND, BUILDING INSPECTION DEPARTMENT, AND TOWNSHIP CAPITAL PROJECTS FUND.**

**WHEREAS**, a result of unanticipated changes in revenues and needed expenditures, it is necessary to modify the aforesaid budget, and

**WHEREAS**, there is a legitimate need for amendments to the 2015 Budget due to unforeseen changes in the expenditures, and

**WHEREAS**, the East China Township Board has reviewed the need to increase the GENERAL FUND, TOWNSHIP IMPROVEMENT FUND, BUILDING INSPECTION DEPARTMENT, AND TOWNSHIP CAPITAL PROJECTS FUND, and

**NOW, THEREFORE, BE IT RESOLVED:** The East China Township Board of Trustees approves this Resolution to amend the 2015 Budget as attached.

All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

**RESOLUTION DECLARED ADOPTED.**

*See the attached budget sheet on the following page.*

**ANNOUNCEMENTS** – The Township Office will be closed December 24<sup>th</sup> and 25<sup>th</sup> for Christmas, and December 31<sup>st</sup> and January 1<sup>st</sup>, for New Years.

**BOARD COMMENTS** – Trustee Horn said Bryson Lane grading needs to be redone. Treasurer Beaudua asked for a new roster sheet. Supervisor Simons said former Supervisor Jack Randolph will be deeply missed. The trees at memorial garden have been removed and he will be looking at purchasing another vehicle for the DPW.

**ADJOURN** – Treasurer Beaudua, supported by Trustee Blackstock, moved to adjourn at 8:44 p.m. Carried.

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Deanna Kramm, Clerk

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Larry J. Simons, Supervisor