

Charter Township of Port Huron Board

3800 Lapeer Road, Port Huron, MI 48060

Regular Meeting Held August 17, 2026 at 7:00 P.M.

MINUTES

Supervisor Lewandowski called the meeting to order at 7:00 p.m.

ROUTINE BUSINESS:

The pledge of allegiance was stated.

Roll Call by the Clerk: Trustees Dudas, Reno, Fulk, Treasurer Shonka, Clerk Davis and Supervisor Lewandowski, present.

Absent: Trustee Pringle

APPROVAL OF MINUTES:

Motion by Reno, second by Fulk, to approve the July 20, 2026 Regular Board Meeting Minutes.

Motion Carried

PUBLIC COMMENT:

Michelle Jacobson, recently appointed President of Port Huron Township Little League thanked the board for their support in installing the bathrooms at the Little League Park and invited everyone to attend their meetings.

Michelle Brown spoke regarding the following agenda items: Code Enforcement Officer position, audio recording of meetings and the Resolution to Correct Scriveners error.

Carol Miller spoke regarding the following agenda items: Code Enforcement Officer position, audio recording of meetings.

Francine Haggard, 1327 Minnesota Road spoke regarding Drain Commission removal of bushes in drain easement and blight in Minnesota Lakes.

Cheryl Mcouat, Robbins Court, regarding audio recording of meetings, preference for visuals, internet service.

NEW AGENDA ITEMS

- A. Attorney's Report:** Attorney Goldenbogen reported that the blight situation at 2713 Division received a judgement for abatement. The owner has 15 days to remove the blight to the satisfaction of the township and if that doesn't happen the township will remove it with those costs assessed to the property. He also stated that the Resolution to Correct Scriveners Error that is on the agenda is entirely proper and was done at his recommendation.
- B. Engineer's Report:** Mike Lufgen, DLZ reported that the Maywood pump station work is waiting on EPA approval and EGLE permitting. The Griswold pump station will move forward with the passing of tonight's resolution. DLZ has also been working with the DPW on EPA compliance reports.
- C. Sheriff's Report:** Captain Pohl was Absent – a written report was submitted.
- D. Fire Chief's Report:** Chief Persig submitted a written report with no questions from the board.
- E. Motion by Shonka, second by Reno, to approve the first reading of Ordinance #257, *Temporary Moratorium on Data Centers and Other High Resource Demand Facilities***

Roll Call Vote: Ayes: Shonka, Reno Fulk, Dudash, Davis, Lewandowski

Nays: None

Absent: Pringle

Motion Carried

- F. Motion by Dudas, second by Fulk, to approve the Resolution to Construct and Operate in MDOT Right-of-Way.**

Roll Call Vote: Ayes: Dudas, Fulk, Reno, Shonka, Davis, Lewandowski

Nays: None

Absent: Pringle

Motion Carried

PERFORMANCE RESOLUTION FOR MUNICIPALITIES

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the Charter Township of Port Huron, hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation,

hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the

installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the 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.

7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY 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(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

Michael Leuffgen, Township Engineer, DLZ

Robert G. Lewandowski, Jr., Township Supervisor

Dan Duman, DPW Superintendent

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by the Board of Trustees of Port Huron Charter Township in St. Clair County at a Regular meeting held on the 17th day of August A.D. 2026

Signed

Title

Print Signed Name

- G. Resolution #2026.01.19A-2026.08.17.A *Resolution to amend Resolution #2026.01.19.A to correct Scrivener's Error.*

**Port Huron Charter Township
3800 Lapeer Road
Port Huron, Michigan 48060**

RESOLUTION NO. 2026.01.19.A-2026.08.17.A

**RESOLUTION TO AMEND RESOLUTION NO. 2026.01.19.A
TO CORRECT SCRIVENER'S ERROR**

WHEREAS, the Port Huron Township Board of Trustees approved Resolution No. 2026.01.19.A on January 19, 2026, entitled *RESOLUTION TO ADOPT POVERTY EXEMPTION GUIDELINES, 2026 POVERTY INCOME LEVELS AND MAXIMUM ASSET STANDARDS*, and

WHEREAS, Resolution No. 2026.01.19.A contained an erroneous citation to legal authority in the second and third paragraphs,

NOW THEREFORE, BE IT RESOLVED, that Resolution No. 2026.01.19.A, adopted on January 19, 2026, is hereby amended and revised to correctly reference the most recent applicable Public Act as follows:

Paragraph 2, delete *Public Act 390 of 1994* and insert **Public Act 253 of 2020**

And

Paragraph 3, delete *Public Act 390 of 1994* and insert **Public Act 253 of 2020**

Resolution brought forth by Reno and supported by Davis

Roll Call Vote: Ayes: Reno, Davis, Fulk, Dudas, Shonka, Lewandowski
Nays: None
Absent: Pringle

Resolution declared adopted this 17TH day of August, 2026

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Trustees of the Charter Township of Port Huron, County of St. Clair, State of Michigan, at a regular meeting held on the 17th day of August, 2026, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that minutes of said meeting were kept and will be or have been made available as required by said act.

Benita E. Davis, Township Clerk

- H. Motion by Reno, second by Shonka, to approve the recommendation of Supervisor Lewandowski to hire Andrew Hopp for the position of part-time Code Enforcement Officer for 20 hours per week at the rate of \$18.00 per hour.

Roll Call Vote: Ayes: Reno, Shonka, Dudas, Davis, Lewandowski

Nays: Fulk

Absent: Pringle

Motion Carried

- I. Motion by Dudas, second by Reno, to approve the Water Street Sewer Pump repair by Kennedy Industries at a cost of \$39,845, inclusive of a one-year warranty.

Roll Call Vote: Ayes: Dudas, Reno, Fulk, Shonka, Davis, Lewandowski

Nays: None

Absent: Pringle

Motion Carried

- J. Motion by Reno, second by Fulk, to table the posting of audio recordings of the Township Board of Trustee meetings on the website.

Roll Call Vote: Ayes: Reno, Fulk, Dudas, Shonka, Davis, Lewandowski

Nays: None

Absent: Pringle

Motion Carried

- K. Motion by Fulk, second by Dudas, to approve the purchase of Neptune Meter Reading Equipment at the cost of \$15,165.02.

Motion Carried

APPROVAL OF BILLS:

Motion by Shonka, second by Reno, to approve the prepaid bills in the amount of \$688,188.71 Check numbers 57103-57146.

Roll Call Vote: Ayes: Shonka, Reno, Dudas, Fulk, Davis, Lewandowski

Nays: None

Absent: Pringle

Motion Carried

Motion made by Shonka, second by Davis, to approve current bills in the amount of \$1,884,153.09 Check numbers 57147-57225.

Roll Call Vote: Ayes: Shonka, Davis, Fulk, Reno, Fulk, Davis, Lewandowski

Nays: None

Absent: None

Motion Carried

BOARD CORRESPONDENCE:

Trustee Dudas reported on the SEMCOG meeting he attended regarding murals. He also reported on the cost of closing of rest stops across the State of Michigan

Treasurer Shonka announced that the Annual Fall Festival will be held on September 19th from 11am-2pm

Trustee Fulk commented on the new pavilion and that the museum will be holding events on both the 9th and the 16th of October.

Supervisor Lewandowski reported that the work on the water tower is now complete and that it is back online. He also addressed placing a speed trailer in response to a concern raised by an audience member.

ADJOURNMENT:

Motion by Dudas supported by Fulk to adjourn at 8:40 p.m.

Motion carried.

Robert G. Lewandowski, Jr., Supervisor

Benita Davis, Clerk