

**Charter Township of Port Huron Board**  
**Regular Meeting Held November 19, 2018 at 7:00 P.M.**  
**3800 Lapeer Road, Port Huron, MI 48060**

**MINUTES**

**ROUTINE BUSINESS:**

The pledge of allegiance stated.

Roll Call: Trustees Dudas, Livingston, Riehl, Reno, Treasurer Shonka, Supervisor Lewandowski, Clerk Davis

Special Guests: Residents, Capt. King, SCC Sheriff Dept., Captain McLeod, Robert Goldenbogen, John Emig, J&A.

**APPROVAL OF MINUTES:**

Motion by Livingston, supported by Riehl, to approve the November 5, 2018 regular Board meeting minutes.

*Vote: All in favor*

**Result: Motion Carried**

**PUBLIC COMMENTS:**

None

**UNFINISHED BUSINESS:**

No Unfinished Business

**NEW AGENDA ITEMS:**

**A. Attorney's Report**

The prepared report was presented. Attorney Goldenbogen was available for questions.

**B. Engineer's Report**

The Engineer's stated that there were no new updates at this time, but he was available for questions if needed.

**C. Sheriff's Report**

Captain King presented the monthly report and was available for questions.

**D. Fire Chief's Report**

Cpt. McLeod presented the prepared report and was available for questions.

### **E. Zoning Map Amendment – B-3 to B-3 & I-L**

Trustee Reno explained that the zoning correction removes gaps in the current zoning and allows more use of the different properties in the area.

Motion by Riehl supported by Dudas to approve the zoning map amendment as presented.

*Roll Call Vote:* Ayes: Riehl, Dudas, Reno, Livingston, Shonka, Davis, Lewandowski

Nays: None

Absent: None **Result: Motion Carried**

### **F. Lot Split Parcel #74-28-282-0009-000 into Three Conforming Parcels:**

Motion by Reno supported by Livingston to approve the lot split as presented for parcel #74-28-282-0009-000 into three conforming parcels.

*Roll Call Vote:* Ayes: Reno, Livingston, Dudas, Riehl, Shonka, Davis, Lewandowski

Nays: None

Absent: None **Result: Motion Carried**

### **G. Resolution No. 2018-11-19.A; Resolution to Spread Delinquent Special Assessments and Liens on 2018 Tax Roll**

**RESOLUTION NO. 2018-11-19.A**  
**RESOLUTION TO SPREAD DELINQUENT SPECIAL**  
**ASSESSMENTS AND LIENS ON 2018 TAX ROLL**  
**PORT HURON CHARTER TOWNSHIP**

Upon motion by Shonka, supported by Reno, the Assessor is directed to re-assess, on the 2018 Township Tax Rolls, the delinquent accounts from the Special Assessment rolls #79 through #105, delinquent cross-connection and utility bills, lien agreements and service charges as reported by the Treasurer and hereby certified by the Board, and to include the interest and penalties due.

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

Nays: None

Absent: None

Motion carried.

Resolution declared adopted this 19<sup>th</sup> day of November, 2018

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 19<sup>th</sup> day of November, 2018 that said meeting was conducted and that public notice of said meeting was given pursuant to and in full compliance with Act No. 167, Public Act of Michigan, 1976, and that minutes of said meeting were kept and will be or have been made available as required by said act.

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Benita E. Davis, Township Clerk

**H. Resolution No. 2018-11-19. B; Resolution Establishing Special Assessment District at Large for Streetlighting**

**RESOLUTION NO. 2018-11-19.B**

**RESOLUTION ESTABLISHING SPECIAL ASSESSMENT DISTRICT AT LARGE  
FOR  
STREET LIGHTING**

On motion by Livingston, supported by Riehl, the following resolution was presented for adoption:

**WHEREAS;** the annual cost of street lighting is approximately \$110,000 annually, and

**WHEREAS;** it is necessary to create a special assessment district for the purpose of raising sufficient funds to defray said cost pursuant to 1947 AP 359 in accordance with 1954 PA 188, MCLA 41.721 – 41.738; and

**WHEREAS;** said lighting will be of benefit to all Township residents and taxpayers residing and traveling within the Township, and

**WHEREAS;** a public hearing was held on November 5, 2018 at 7:00 p.m. to hear objections to the service, to the district, and to the proposed levy of 0.4660 mills;

**NOW, THEREFORE, BE IT RESOLVED;** that the Township at Large be designated a Special Assessment District for the purpose of spreading the cost for street lighting, and

**BE IT FURTHER RESOLVED;** that 0.4660 mills be levied on the assessed valuation per \$1,000.00, as equalized, against all real property contained on the tax rolls for the year 2018

**Roll Call Vote:      Ayes: Livingston, Riehl, Reno, Dudas, Shonka, Davis, Lewandowski**  
**Nays: None**  
**Absent: None**

**Resolution declared adopted this 19<sup>th</sup> day of November, 2018.**

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 19<sup>th</sup> day of November, 2018, 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.

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Benita E. Davis, Township Clerk

**I. Resolution No. 2018-11-19.C; Resolution Establishing Special Assessment District at Large for Police Protection**

**RESOLUTION NO. 2018-11-19.C**

**RESOLUTION ESTABLISHING SPECIAL ASSESSMENT DISTRICT AT LARGE**

**FOR  
POLICE PROTECTION**

On motion by Reno, supported by Dudas, the following resolution was presented for adoption:

**WHEREAS;** the annual cost of police protection is approximately \$770,000 annually, and

**WHEREAS;** it is necessary to create a special assessment district for the purpose of raising sufficient funds to defray said cost pursuant to 1951 PA 33, MCLA 41.801-41.813; and

**WHEREAS;** said police protection will be of benefit to all Township residents and taxpayers residing and traveling within the Township, and

**WHEREAS;** a public hearing was held on November 5, 2018 at 7:00 p.m. to hear objections to the service, to the district, and to the proposed levy of 3.4500 mills;

**NOW, THEREFORE, BE IT RESOLVED;** that the Township at Large be designated a Special Assessment District for the purpose of spreading the cost for police protection, and

**BE IT FURTHER RESOLVED;** that 3.4500 mills be levied on the assessed valuation per \$1,000.00, as equalized, against all real property contained on the tax rolls for the year 2018.

**Roll Call Vote:      Ayes: Reno, Dudas, Livingston, Riehl, Shonka, Davis, Lewandowski**  
**Nays: None**  
**Absent: None**

**Resolution declared adopted this 19<sup>th</sup> day of November, 2018.**

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 19<sup>th</sup> day of November, 2018, 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.

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 Benita E. Davis, Township Clerk

**J. Resolution No. 2018-11-19D; Resolution Establishing 2018 Millage Rates**  
**RESOLUTION NO. 2018-11-19D**

**RESOLUTION ESTABLISHING 2018 MILLAGE RATES**

**WHEREAS,** a public hearing was held on the proposed operating tax millage rate to be levied in 2018; and

**WHEREAS,** the public hearing was held in compliance with Public Act No. 42 of 1995, MCL 141.412 and;

**NOW THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Charter Township of Port Huron that it does hereby adopt the tax levy of:

- 2.0000 mill for General Operating Purposes
- 1.5000 mill for Fire Department Operations as approved by electorate to expire Dec. 31, 2021
- 1.0000 mill for Local Road Improvements as approved by electorate to expire Dec. 31, 2019
- 0.8750 mill for Public Bus Transportation as approved by electorate to expire Dec. 31, 2019
- 0.4660 mill, on all real property only, for a Street Light Special Assessment District At Large as approved by the Township Board of Trustees to expire Nov. 20, 2018
- 3.4500 mills on all real property only, for a Police Protection Special Assessment District At Large as approved by the Township Board of Trustees to expire Nov. 20, 2018

THE BOARD OF TRUSTEES does have the complete authority to establish that 9.291 mills be levied in 2018.

Moved by Shonka, supported by Livingston to adopt the **RESOLUTION ESTABLISHING MILLAGE RATES FOR THE YEAR 2018**

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

Nays: None

Absent: None

Motion carried.

Resolution declared adopted this 19<sup>TH</sup> day of November, 2018.

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 19<sup>th</sup> day of November, 2018, 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.

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Benita E. Davis, Township Clerk

**K. Resolution No. 2018-11-19E; Publicly Funded Health Insurance Contribution Act  
Public Act 152**

**RESOLUTION 2018-11-19E  
PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT  
PUBLIC ACT 152**

A resolution to opt out, by two thirds vote of the Board of Trustees, of Public Act 152. The Board of Trustees of Port Huron Charter Township resolves:  
This shall be known as the Port Huron Charter Township Public Act 152 resolution.  
"It is hereby resolved that upon a vote of more than two thirds of the members of this body, Port Huron Township be exempted from the provisions of 2011 Public Act 152 (MCL 15.561 et seq.) according to Section 8 of that Act for the 2018-2019 year."

Motion made by Livingston, seconded by Reno to adopt the Public Act 152 Resolution #2018-11-19E.

Roll Call Vote:

Ayes: Livingston, Reno, Riehl, Dudas, Shonka, Davis, Lewandowski

Nays: None

The Supervisor declared the motion carried and the resolution duly adopted this 19th day of November 2018.

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 County, State of Michigan, at a regular meeting held on the 19<sup>th</sup> day of November, 2018, that the public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

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Benita E. Davis, Township Clerk

#### **L. Resolution No. 2019-11-19F; General Appropriations Act**

##### RESOLUTION # 2018-11-19.F GENERAL APPROPRIATIONS ACT

A resolution to establish a General Appropriations Act for Port Huron Charter Township; to define the powers and duties of the Port Huron Charter Township Officers in relation to the administration of the budget.

The Board of Trustees of Port Huron Charter Township resolves:

This resolution shall be known as the Port Huron Charter Township General Appropriations Act.

The Supervisor shall be the Chief Administrative Officer and shall perform the duties of the Chief Administrative Officer enumerated in the act.

The Clerk shall be the Fiscal Officer and shall perform the duties of the Fiscal Officer as enumerated in the act.

"Pursuant to MCL 42.26, notice of public hearing on the proposed budget was published in a newspaper of general circulation on October 27, 2017, which must be at least seven days prior to the public hearing and again on October 30, 2017. The public hearing on the proposed 2018 budget was held on Monday, November 6, 2017 at 7:00 p.m."

Estimated township general fund revenues for fiscal year 2018, including an allocated millage of 2.0 mills; voter-authorized millage of 2.0 mills and various miscellaneous revenues shall total \$1,746,900.00

The Port Huron Township Board shall cause to be levied and collected the general property tax on all real and personal property within the Township upon the current tax roll an amount equal to 8.054 mills (as authorized under state law and approved by the electorate).

Estimated Township expenditures for fiscal year 2018 for the various township funds are as follows:

101	GENERAL	
101	TOWNSHIP BOARD	204,950.00

171	SUPERVISOR	89,650.00
191	ELECTIONS	53,025.00
209	ASSESSOR	107,950.00
215	CLERK	134,285.00
247	BOARD OF REVIEW	2,750.00
253	TREASURER	183,150.00
265	TOWNSHIP HALL	26,800.00
400	PLANNING COMMISSION	92,135.00
428	DEMOLITIONS	6,950.00
441	DEPT OF PUBLIC WORKS	103,300.00
428	DRAINAGE	67,500.00
448	STREET LIGHTS	105,000.00
751	RECREATION DEPT	46,800.00
755	BAKER'S FIELD	38,950.00
999	TRANSFER OUT ACCTS	440,235.00
203	DPS	786,775.00
204	ROAD	226,000.00
205	REFUSE	546,600.00
207	POLICE	740,000.00
208	PARK	228,330.00
209	CEMETERY	78,400.00
212	LIQUOR	5,000.00
251	MUSEUM	3,500.00
274	DDA	233,120.00
276	EDC	7,525.00
372	BUILDING	143,460.00
570	SEWER	2,327,100.00
591	WATER	2,350,125.00
702	BWAT	191,500.00

The Board of Trustees of Port Huron Charter Township adopts the 2018 fiscal year budget by fund. Township officials responsible for the expenditures authorized in the budget may expend township funds up to, but not to exceed, the total appropriation authorized for each fund, and may make transfers among the various line items contained in the fund appropriation. However, no transfers of appropriations for line items related to personnel or capital outlays may be made without prior approval by budget amendment.

The fiscal officer shall transmit to the board at the end of each of the first three quarters, and at the end of each month occurring during the fourth quarter, a report of financial operations, including but not limited to:

A summary statement showing the receipts and expenditures and encumbrances for the previous quarter (month) and for the current fiscal year to the end of the previous quarter (month).

No obligation shall be incurred against, and no payment shall be made from any appropriation account unless there is a sufficient unencumbered balance in the appropriation and sufficient funds are or will be available to meet the obligation.

Whenever it appears to the Chief Administrative Officer or the Township Board that the actual and probable revenues in any fund will be less than the estimated revenues upon which appropriations from such fund were based, and when it appears that expenditures shall exceed an appropriation, the Chief Administrative Officer shall present to the Township Board recommendations to prevent expenditures from exceeding available revenues or appropriations for the current fiscal year. Such recommendations shall include proposals for reducing appropriations, increasing revenues, or both.

Motion made by Livingston, seconded by Dudas, to adopt the General Appropriations Act Resolution #2019-11-19.F, and the 2018 Proposed Budget.

Roll Call Vote:

AYE: Livingston, Dudas, Riehl, Reno, Shonka, Davis, Lewandowski

NAY: None

ABSENT: None

The Supervisor declared the motion carried and the resolution duly adopted this 20<sup>th</sup> day of November, 2017.

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 20<sup>th</sup> day of November, 2017, that the public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

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Benita E. Davis, Township Clerk

### **APPROVAL OF BILLS:**

Motion to approve payment of current bills by Shonka, supported by Livingston

Amount: \$779,825.23

Check #: 45384-45446

*Roll Call Vote: Ayes: Shonka, Livingston, Dudas, Riehl, Reno, Davis, Lewandowski*

*Nays: None*

*Absent: None*    **Result: Motion Carried**

Motion by Reno supported by Dudas to approve October 2018 POC Payroll in the amount of \$1,772.00.

*Roll Call Vote: Ayes: Reno, Dudas, Livingston, Riehl, Shonka, Davis, Lewandowski*

*Nays: None*

*Absent: None*    **Result: Motion Carried**

### **BOARD CORRESPONDENCE:**

General discussion and updates, as well as event reminders.

Clerk Davis updated the Board on the fact that they received a grant to move forward with a proposed Pickleball and Tennis Court at Baker's Field.

### **ADJOURNMENT:**

Motion by Riehl supported by Livingston to adjourn at 07:22 p.m.

*Vote: All in favor*

**Result: Motion Carried**

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Robert G. Lewandowski, Jr., Supervisor

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Benita E. Davis, Township Clerk