

**Charter Township of Port Huron Board**  
**Regular Meeting Held November 16, 2020**  
**3800 Lapeer Road, Port Huron, MI 48060**  
**Meeting Room open to public as well as Zoom Meeting**

**MINUTES**

Public Hearing was opened at 7:12 for the Special Assessment at Large for the Police Millage Rate to be 3.45 mills. Hearing no comments, motion by Reno and supported by Dudas to close the public hearing at 7:13 p.m. *All in favor – motion passed.*

Public Hearing was opened at 7:13 for the Special Assessment at Large for the Street Light Millage Rate to be 0.4660 mills. Hearing no comments, motion by Dudas and supported by Riehl to close the public hearing at 7:14 p.m. *All in favor – motion passed.*

Public Hearing was opened at 7:14 for the 2021 Proposed Budget Hearing no comments, motion by Davis and supported by Reno to close the public hearing at 7:15 p.m. *All in favor – motion passed.*

**ROUTINE BUSINESS:**

The pledge of allegiance stated.

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

Special Guests: Robert Goldenbogen, Atty., S.C.C. Sheriff King, Dan Mainguy, Fire Chief, Fire Dept. Personnel, Fire Dept. family members

**APPROVAL OF MINUTES:**

Motion to approve the minutes from the October 19, 2020, meeting by Dudas and supported by Livingston. *All in favor – motion passed.*

Motion to approve the minutes from the November 2, 2020, meeting by Reno and supported by Livingston. *All in favor – motion passed.*

**PUBLIC COMMENTS:**

None

**UNFINISHED BUSINESS:**

No unfinished business presented.

**NEW AGENDA ITEMS:**

*A. Attorney's Report:*

The Board was updated on a couple pending cases and a couple of new tax tribunals.

***B. Engineer's Report:***

No report as contractors and projects are still getting organized.

***C. Sheriff's Report:***

Statistical report was reviewed. Matt King congratulated on his promotion from Captain to Sheriff.

***D. Fire Chief's Report:***

Chief asked for the Board's approval on promoting Andrew Persig to the rank of Captain. Motion by Reno and supported by Riehl to promote Andrew Persig to Captain.

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

Nays: None

**Result: Motion Carried**

Clerk Davis administered the Oath of Office to Captain Andrew Persig.

**Resolution 2020-11-16A**

***E.* RESOLUTION TO SPREAD DELINQUENT SPECIAL  
ASSESSMENTS AND LIENS ON THE 2020 TAX ROLL  
PORT HURON CHARTER TOWNSHIP**

Upon motion by Dudas and supported by Livingston, the Assessor is directed to re-assess, on the 2020 Township Tax Rolls, the delinquent accounts from the Special Assessment Rolls #79 - #105, delinquent cross connection, utility bills, liens agreements, and service charges as reported by the Treasurer and hereby certify by the Board, and to include the interest and penalties due.

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

Nays: None

Absent: None

Motion carried

Resolution declared adopted this 16<sup>th</sup> day of November, 2020.

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 16<sup>th</sup> day of November, 2020 and that said meeting was conducted and that public meeting notice 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 by said act.

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Benita E. Davis, Clerk

*F.***RESOLUTION NO. 2020-11-16B****RESOLUTION ESTABLISHING SPECIAL ASSESSMENT DISTRICT AT LARGE  
FOR  
STREET LIGHTING**

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

WHEREAS; the annual cost of street lighting is approximately \$110,000.00 annually, and

WHEREAS; it is necessary to create a special assessment district for the purpose of raising sufficient funds to defray the cost pursuant to 1947 AP 359 in accordance with 1954 PA 188, MCLA 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 16, 2020, 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 2020.

ROLL CALL VOTE:       AYES: Riehl, Davis, Reno, Dudas, Shonka, Livingston, Lewandowski  
                              NAYS: None  
                              ABSENT: None

Resolution declared adopted this 16<sup>th</sup> day of November, 2020.

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Benita E. Davis, Township Clerk

G.

**RESOLUTION NO. 2020-11-16C****RESOLUTION ESTABLISHING SPECIAL ASSESSMENT DISTRICT AT LARGE  
FOR  
POLICE PROTECTION**

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

WHEREAS; the annual cost of police protection is approximately \$845,000.00 annually, and

WHEREAS; it is necessary to create a special assessment district for the purpose of raising sufficient funds to defray the cost pursuant to 1947 AP 359 in accordance with 1954 PA 188, MCLA 41.738; 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 16, 2020, 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 2020.

ROLL CALL VOTE:       AYES: Dudas, Shonka, Livingston, Riehl, Reno, Davis, Lewandowski  
                              NAYS: None  
                              ABSENT: None

Resolution declared adopted this 16<sup>th</sup> day of November, 2020.

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Benita E. Davis, Township Clerk

**H. RESOLUTION ESTABLISHING PROPOSED MILLAGE RATES  
RESOLUTION #2020-11-19D**

Moved by Dudas, supported by Reno, to adopt the following resolution establishing the proposed millage rates to be levied by Port Huron Charter Township for the year 2020.

The Board of Trustees does hereby approve the proposed levy of:

- 2.0000 mills for General Operating Purposes
- 1.0000 mill for Local Road Improvements as approved by electorate August 4, 2020
- 0.8750 mill for Public Bus Transportation as approved by electorate August 4, 2020
- 0.4660 mill on all real property only, for a Street Light Special Assessment District At Large if approved by the Township Board of Trustees November 16, 2020
- 3.4500 mills on all real property only, for a Police Protection Special Assessment District At Large if approved by the Township Board of Trustees November 16, 2020
- 1.5000 mills for Fire Department Operations as approved by electorate August 7, 2018

The Board of Trustees does have the complete authority to establish that 8.054 mills be levied in 2020.

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

Resolution declared adopted this 16<sup>th</sup> day of November 2020.

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 16<sup>th</sup> day of November, 2020, that said meeting was conducted 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.

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Benita E. Davis, Township Clerk

**I.**

RESOLUTION 2020-11-16E  
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 2020-2021 year.”

Motion made by     Reno    , seconded by     Livingston     to adopt the Public Act 152 Resolution #2020-11-16E.

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

Nays: None

Absent: None

The Supervisor declared the motion carried and the resolution duly adopted this   16th   day of   November   2020.

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 16<sup>th</sup> day of November, 2020, 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

**J.**

RESOLUTION # 2020-11-16F  
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 21, 2020, which must be at least seven days prior to the public hearing and again on October 22, 2020. The public hearing on the proposed 2021 budget was held on Monday, November 16, 2020 at 7:00 p.m.”

Estimated township general fund revenues for fiscal year 2021, including an allocated millage of 2.0 mills; voter-authorized millage of 2.0 mills and various miscellaneous revenues shall total \$2,094,400.00.

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 9.291 mills (as authorized under state law and approved by the electorate).

Estimated Township expenditures for fiscal year 2021 for the various township funds are as follows:

101	GENERAL	
101	TOWNSHIP BOARD	249,950.00
171	SUPERVISOR	99,875.00
191	ELECTIONS	21,600.00
209	ASSESSOR	102,220.00
215	CLERK	139,500.00
247	BOARD OF REVIEW	2,950.00
253	TREASURER	208,480.00
265	TOWNSHIP HALL	57,750.00
400	PLANNING COMMISSION	117,410.00
428	DEMOLITIONS	6,950.00
441	DEPT OF PUBLIC WORKS	132,075.00
428	DRAINAGE	76,500.00
448	STREET LIGHTS	120,000.00
751	RECREATION DEPT	45,600.00
755	BAKER'S FIELD	157,800.00
999	TRANSFER OUT ACCTS	547,535.00
203	DPS	972,375.00
204	ROAD	410,250.00
205	REFUSE	607,000.00
207	POLICE	840,270.00
208	PARK	322,405.00
209	CEMETERY	46,500.00
212	LIQUOR	5,000.00
251	MUSEUM	3,500.00
274	DDA	350,770.00
276	EDC	7,525.00
372	BUILDING	168,085.00
570	SEWER	2,388,250.00
591	WATER	7,477,384.00
702	BWAT	230,000.00

The Board of Trustees of Port Huron Charter Township adopts the 2021 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 Shonka, seconded by Livingston to adopt the General Appropriations Act Resolution # 2020-11-16F, and the 2021 Proposed Budget.

Roll Call Vote:

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

NAY: None

ABSENT: None

The Supervisor declared the motion carried and the resolution duly adopted this 16<sup>th</sup> day of November, 2020.

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Benita E. Davis, Township Clerk

**K. RESOLUTION TO ESTABLISH TOWNSHIP FIRE CHIEF'S SALARY**

**WHEREAS**, the Township Fire Chief does not belong to the MAPES Supervisor Union the salary for the Fire Chief shall be determined by the township board, and

**WHEREAS**, the township board deems that an adjustment in the salary of the office of Fire Chief is warranted. The Board acknowledges that the percentage of increase is the same percentage as is the 2021 union negotiated percentages.

**THEREFORE, BE IT RESOLVED**, that the salary of the office of Fire Chief shall be as follows for the 2021 year:

\$77,250.00



The foregoing resolution was offered by board member Reno, and supported by board member Dudas.

Upon a roll call vote, the following voted:

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

NAY: None

Absent: None

The Supervisor declared the resolution adopted this 16th day of November, 2020.

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 16th day of November, 2020, that said meeting was conducted 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.

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Benita E. Davis, Clerk

#### **L. Approve Employment Agreement with Dan Duman, DPW Superintendent:**

Motion by Dudas and supported by Livingston to approve the employment agreement with Dan Duman effective January 1, 2021 as presented.

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

**Result: Motion Carried**

#### **APPROVAL OF BILLS**

Motion to approve payment of the current bills by Shonka supported by Livingston.

Amount: \$201,977.54

Check #s: 48568 - 48639

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

**Result: Motion Carried**

Motion to approve October Paid on Call payroll by Reno supported by Dudas

Amount: \$386.00

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

**Result: Motion Carried**

#### **BOARD CORRESPONDENCE:**

Discussion on businesses in the Township, SEMCOG update

#### **ADJOURNMENT:**

Motion by Riehl supported by Dudas to adjourn at 7:35 p.m. Motion carried.

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Robert G. Lewandowski, Jr., Supervisor

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Benita E. Davis, Clerk