

Charter Township of Port Huron Board
Regular Meeting Held December 4, 2023 at 7:00 P.M.
3800 Lapeer Road, Port Huron, MI 48060

MINUTES

ROUTINE BUSINESS:

Pledge of Allegiance recited.

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

Absent: Reno

Special Guests: Residents

APPROVAL OF MINUTES:

Motion by Livingston supported by Dudas to approve the November 20, 2023 Regular Board Meeting Minutes.

Vote: All in favor

Result: Motion Carried

PUBLIC COMMENTS:

Dawn Fulk, 2583 Strawberry Ln, thanked the board for the Resolution No 2023-12-04.A Resolution Declaring Opposition to Legislation Pre-empting or Otherwise Limiting Local Authority over Matters of Zoning Land Use within the Charter Township of Port Huron.

Carol Miller, 2340 Randolph – Thanked the board for addressing an issue with her neighbor's camper and mentioned that a solar farm would create a noise nuisance.

UNFINISHED BUSINESS:

None presented.

NEW AGENDA ITEMS

A. Approve 100 hr Time block with Hi-Tech (the township IT company):

Motion by Livingston, supported by Dudas to approve 100 hr Time block with Hi-Tech (the township IT company in the amount of \$13,500.

Vote: All in favor

Result: Motion Carried

B. Approve Quote for the replacement of 3 workstation computers:

Motion by Riehl, supported by Dudas to approve quote for the replacement of 3 workstation computers.

Vote: All in favor

Result: Motion Carried

C. Approve Wi-Fi Upgrade Quote for Township Hall:

Motion by Davis, supported by Livingston to approve Wi-Fi Upgrade Quote for Township Hall, in the amount of \$5,073.97.

Vote: All in favor

Result: Motion Carried

D. Approve Resolution No 2023-12-04.A Resolution Declaring Opposition to Legislation Pre-empting or Otherwise Limiting Local Authority over Matters of Zoning Land Use within the Charter Township of Port Huron:

RESOLUTION NO. 2023-12-04.A

**RESOLUTION DECLARING OPPOSITION TO LEGISLATION PREEMPTING OR OTHERWISE LIMITING
LOCAL AUTHORITY OVER MATTERS OF ZONING OR LAND USE
WITHIN THE CHARTER TOWNSHIP OF PORT HURON**

WHEREAS, members of the Michigan Legislature are proposing various bills to pass into law to preempt, or otherwise limit, Port Huron Township's local authority on zoning and land use matters that includes, but is not limited to, Short-Term Rentals, Sand and Gravel Mining, Industrial Solar Installations, Industrial Wind Turbine Installations, and Battery Storage Facilities; and

WHEREAS, the duly elected Trustees of Port Huron Township are best suited to receive public input in determining appropriate zoning and land uses that will specifically address the unique needs of Port Huron Township's property owners, businesses and residents within its borders; and

WHEREAS, the duly elected Trustees of Port Huron Township are committed to protecting Port Huron Township's property owners, businesses and residents from matters that may jeopardize the health, safety, and quality of life of the community;

NOW, THEREFORE, BE IT HEREBY RESOLVED, the duly elected Trustees of Port Huron Township are opposed to any action taken by the Michigan Legislature that will preempt, remove, or otherwise limit Port Huron Township's local authority over zoning or local land uses, which includes, but is not limited to, Short-Term Rentals, Sand and Gravel Mining, Industrial Solar Installations, Industrial Wind Turbine Installations, and Battery Storage Facilities; and

BE IT FURTHER RESOLVED, the Port Huron Township Board of Trustees are opposed to the construction, operation, maintenance, repair, replacement and decommissioning of Sand and Gravel Mines, Industrial Wind Facilities, Industrial Solar Facilities, Battery Storage Facilities, and other similar uses with Port Huron Township unless Special Land Use Approval is obtained in compliance with Port Huron Township's duly adopted Regulatory and Zoning Ordinances; and

BE IT FURTHER RESOLVED, the Port Huron Township Board of Trustees supports the longstanding right of the local community and its self-determination as provided by the laws and the Constitution of the State of Michigan.

Resolution brought forth by Clerk Daivs and supported by Trustee Livingston

Roll Call Vote: Ayes: Daivs, Livingston, Dudas, Riehl, Shonka, Lewandowski
Nays:
Absent: Reno

Resolution declared adopted this 5th day of December, 2023

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 5th day of December, 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

E. Approve Meeting Dates for the Township Board Meetings for 2024:

Motion by Dudas, supported by Livingston to approve meeting Dates for the Township Board Meetings for 2024 as follows Jan 15, Feb 5 & 19, March 4 & 18, April 1 & 15, May 6 & 20, June 3 & 17, July 15, August 19, Sept 16, Oct 7 & 21, Nov 4 & 18, Dec 2 & 16.

Vote: All in favor

Result: Motion Carried

F. Approve Planning and ZBA Meeting Dates for 2024:

Motion by Livingston, supported by Riehl to approve Planning and ZBA Meeting Dates for 2024 as follows, Planning Meeting dates Jan 11, Feb 8, March 14, April 11, May 9, June 13, July 11, Aug 8, Sept 12, Oct 10, Nov 14, Dec 12

ZBA Meeting Dates Jan 18, Feb 15, March 21, April 18, May 16, June 20, July 18, Aug 15, Sept 19, Oct 17, Nov 21, Dec 19.

Vote: All in favor

Result: Motion Carried

G. Approve Zoning Change for parcel# ~~74-28-190-0094-001~~ #74-28-020-1045-000 and #74-28-020-1046-000 for B-3 to I-L:

Motion by Livingston, supported by Dudas to approve Zoning Change for parcel# ~~74-28-190-0094-001~~ #74-28-020-1045-000 and #74-28-020-1046-000 for B-3 to I-L.

Roll Call: Aye: Livingston, Dudas, Riehl, Shonka, Davis, Lewandowski

Nay: None

Absent: Reno **Result: Motion Carried**

Correction as follows was made and approved in the December 18, 2024 minutes to Agenda Item G to the parcel #74-28-190-0094-001 to reflect the correct parcel #74-28-020-1045-000 and #74-28-020-1046-000.

H. Approve Salary Resolution for Township Supervisor for 2024:**RESOLUTION TO ESTABLISH TOWNSHIP SUPERVISOR'S SALARY**

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Supervisor is warranted and is adopted according to the statutory and non-statutory duties that are performed by the current Supervisor.

THEREFORE, BE IT RESOLVED, that the salary of the office of Supervisor shall be as follows for the 2024 year:

\$32,000.00 for statutory duties
\$32,000.00 for non- statutory duties and regular office hours
\$ 1,000.00 Certification Pay (Certification and Continuing Education or Board Member Office held in MATS or MTA)

The foregoing resolution was offered by board member Riehl, and supported by board member Livingston.

Upon a roll call vote, the following voted:

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

NAY:

Absent: Reno

The Supervisor declared the resolution adopted this 4th day of December, 2023.

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 4th day of December, 2023, 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.

Benita E. Davis, Clerk

Reference of current salary:

THEREFORE, BE IT RESOLVED, that the salary of the office of Supervisor shall be as follows for the 2023 year:

\$27,053.00 for statutory duties
 \$27,004.38 for non- statutory duties and regular office hours
 \$ 1,000.00 Certification pay (Certification and Continuing
 Education or Board Member office held in MAMC)

I. Approve Salary Resolution for Township Clerk for 2024:

RESOLUTION TO ESTABLISH TOWNSHIP CLERK'S SALARY

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Clerk is warranted and is adopted according to the statutory and non-statutory duties that are performed by the current Clerk.

THEREFORE, BE IT RESOLVED, that the salary of the office of Clerk shall be as follows for the 2024 year:

\$32,000.00 for statutory duties
 \$32,000.00 for non- statutory duties and regular office hours
 \$ 1,000.00 Certification pay (Certification and Continuing
 Education or Board Member office held in MAMC)

The foregoing resolution was offered by board member Riehl, and supported by board member Livingston.

Upon a roll call vote, the following voted:

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

NAY:

Absent: Reno

The Supervisor declared the resolution adopted this 4th day of December, 2023.

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 4th day of December, 2023, 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.

Benita E. Davis, Clerk

Reference of current salary:

THEREFORE, BE IT RESOLVED, that the salary of the office of Clerk shall be as follows for the 2023 year:

\$27,053.00 for statutory duties
 \$28,564.90 for non- statutory duties and regular office hours
 \$ 1,000.00 Certification pay (Certification and Continuing Education or Board Member office held in MAMC)

J. Approve Salary Resolution for Township Treasurer for 2024:

RESOLUTION TO ESTABLISH TOWNSHIP TREASURER'S SALARY

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Treasurer is warranted and is adopted according to the statutory and non-statutory duties that are performed by the current Treasurer.

THEREFORE, BE IT RESOLVED, that the salary of the office of Treasurer shall be as follows for the 2024 year:

\$28,000.00 for statutory duties
 \$32,000.00 for non- statutory duties and regular office hours
 \$ 1,000.00 Certification Pay (Certification and Continuing Education or Board Member office held in MMTA or MTA)

The foregoing resolution was offered by board member Livingston, and supported by board member Riehl.

Upon a roll call vote, the following voted:

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

NAY:

Absent: Reno

The Supervisor declared the resolution adopted this 4th day of December, 2023.

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 4th day of December, 2023, 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.

Benita E. Davis, Clerk

K. Approve Salary Resolution for Township Trustees for 2024:

**RESOLUTION TO ESTABLISH
TRUSTEE MEETING PAYMENTS**

At a regular meeting of the Port Huron Charter Township Board of Trustees held on the 4th day of December, 2023, at 7:00 p.m. at which meeting the attendance was:

Present: Livingston, Davis, Riehl, Dudas, Shonka, Lewandowski

Absent: Reno

Trustee Livingston offered the following resolution and moved for adoption. The motion was seconded by Davis.

WHEREAS, the Port Huron Charter Township Board deems that the Trustees shall be compensated for any meeting in which they attend where they are serving in an official capacity on behalf of the Township Board. Compensation shall be \$125.00 per meeting as established by the Board of Trustees.

WHEREAS, the Port Huron Charter Township Trustees shall not be limited in the number of meetings per month, but official minutes of such meeting or an official proof of attendance may be required. In the event a Trustee attends an overnight conference they shall be paid for each day that they are attending official meetings, but not for a day that consists only of travel.

NOW THEREFORE BE IT RESOLVED, that the Port Huron Charter Township Board of Trustees adopts and approves that the Port Huron Township Trustees shall be compensated for all meetings in which they serve in their official capacity and that they provide documentation for the Township Clerk to process with payroll.

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

Nays:
Absent: Reno

The Supervisor declared the motion carried and duly adopted on the 4th day of June, 2013. I do 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 4th day of December, 2023, 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

APPROVAL OF BILLS:

Motion by Shonka, supported by Livingston, to approve payment of prepaid bills:

Amount: \$2,822.84

Check #'s: 53270-53273

Roll Call: Aye: Shonka, Livingston, Riehl, Dudas, Davis, Lewandowski

Nay: None

Absent: Reno **Result: Motion Carried**

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

Amount: \$257,303.14

Check #s: 53274-53324

Roll Call: Aye: Shonka, Riehl, Livingston, Dudas, Davis, Lewandowski

Nay: None

Absent: Reno **Result: Motion Carried**

BOARD CORRESPONDENCE:

SEMCOG update was given

Supervisor Lewandowski presented a wage adjustment for Code Enforcement Officer Ted Jahn in the amount of one dollar more per hour.

Motion by Riehl, supported by Livingston to approve a wage adjustment for Code Enforcement Officer Ted Jahn in the amount of one dollar more per hour.

Vote: All in favor

Result: Motion Carried

ADJOURNMENT:

Motion by Riehl supported by Dudas to adjourn at 7:30 p.m.

Vote: All in favor

Result: Motion Carried

Robert G. Lewandowski, Jr., Supervisor

Benita E. Davis, Clerk