

**Charter Township of Port Huron Board**  
**Regular Meeting Held September 19, 2022 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, Reno, Treasurer Shonka, Clerk Davis, Supervisor Lewandowski

Absent: None

Special Guests: Attorney Goldenbogen, Fire Chief Randy Vesper, Firefighters, SCC Sheriff Sgt. Pohl, Residents

**APPROVAL OF MINUTES:**

Motion by Livingston supported by Riehl to approve the Aug 15, 2022 Regular Board Meeting Minutes.

*Vote: All in favor*

*Result: Motion Carried*

**PUBLIC COMMENTS:**

None presented.

**UNFINISHED BUSINESS:**

***A. Review Recreational Vehicles Ordinance #240:***

Motion by Reno, supported by Livingston that no change be made to the current Recreational Vehicle Ordinance #240. Trustees Riehl and Treasurer Shonka will work with the Planning Commission to review the ordinance.

*Roll Call: Aye: Reno, Livingston, Dudas,*

*Nay: Riehl, Shonka, Davis, Lewandowski*

*Absent: None.*

**Result: Motion Carried**

**NEW AGENDA ITEMS**

***A. Attorney's Report:*** Prepared report presented no further discussion.

***B. Engineer's Report:*** None.

***C. Sheriff's Report:*** Prepared report presented no further discussion.

***D. Fire Chief's Report:*** Chief Vesper presented the prepared report.

Motion by Riehl, supported by Reno to hire Adam Ebeger as a Part-time Firefighter.

*Vote: All in favor*

**Result: Motion Carried**

*E. Approve DNR SPARKS Grant Application Support:*

**RESOLUTION #09-2022-19a  
PORT HURON CHARTER TOWNSHIP  
BOARD OF TRUSTEES**

Meeting of September 19, 2022

DNR SPARKS GRANT APPLICATION SUPPORT

WHEREAS, THE Michigan Department of Natural Resources (DNR) has announced a new grant opportunity to support projects that provide safe, accessible public recreation facilities and spaces to improve recreational experiences, rebuild existing park infrastructure and promote outdoor activities; and

WHEREAS, the Port Huron Charter Township has been adversely impacted by the COVID-19 pandemic and has experienced an increase in the need and desire for safe and accessible recreational trails, open spaces and park activities that can be enjoyed by everyone regardless of economic standing, age or ability; and

WHEREAS, the DNR has released notifications on the opportunity for individual communities and community partnerships to apply for grant funds under the new and competitive SPARK Program; and

WHEREAS, the SPARK Program encourages local collaborations, leveraging of local match funds and in-kind services in order to create a competitive and comprehensive application; and

WHEREAS, public comments were received and considered during a scheduled meeting and as part of the public audience agenda; and

WHEREAS, the Port Huron Charter Township Board wishes to make improvements at Baker's Field Park and seek consideration of SPARK Grant funds combined with a local match that may consist of, but not be limited to, local revenue funds, donations, and in-kind services.

NOW, THEREFORE BE IT RESOLVED, that the Port Huron Charter Township Board of Trustees does hereby support and authorize the submission of a grant application, as an individual community application or as a community partnership application, to the Michigan Department of Natural Resources SPARK Program and with the recommended local match to be determined and to consist of, but not be limited to, local revenue funds, donations, and/or in-kind services, as well as all other requirements necessary for the grant application to be deemed eligible and competitive.

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Robert G. Lewandowski, Jr., Supervisor

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Benita E. Davis, Clerk

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Peter L. Shonka, Treasurer

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Donald B. Dudas, Trustee

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William E. Livingston, Trustee

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John L. Reno, Jr., Trustee

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Stephen F. Riehl, Trustee

Motion by Dudas, supported by Livingston to approve DNR SPARKS Grant Application.

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

*Nay: None*

*Absent: None*

**Result: Motion Carried**

***F. Approve Resolution No. 09-2022-19.B Approving Port Huron Township Application to the St. Clair County Road Commission for Funding under the 2022 Local Road System Funding Assistance Program:***

**RESOLUTION NO. 09-2022-19.B**

**RESOLUTION APPROVING PORT HURON CHARTER TOWNSHIP'S  
APPLICATION TO THE  
ST. CLAIR COUNTY ROAD COMMISSION FOR FUNDING UNDER THE  
2022 LOCAL ROAD SYSTEM FUNDING ASSISTANCE PROGRAM**

**Strawberry Lane**

**WHEREAS**, the St. Clair County Road Commission has established the Local Road System Funding Assistance Program through Policy No. 75, as revised October 6, 2009; and

**WHEREAS**, the Local Road System Funding Assistance Program provides matching funds to the townships for the improvement of local roads in St. Clair County; and

**WHEREAS**, the Charter Township of Port Huron has identified a need to improve Strawberry Lane, using the Local Road System Funding Assistance Program;

**NOW, THEREFORE, BE IT RESOLVED**, that the Charter Township of Port Huron makes application to the St. Clair County Road Commission for funding under the Local Road System Funding Assistance Program for the year 2022 for Strawberry Lane; and

**FURTHER**, that Robert G. Lewandowski, Jr., Supervisor, be authorized to sign the application on behalf of the Charter Township of Port Huron.

**Motion** by Trustee Livingston, support by Trustee Dudas to approve Resolution No. 09-2022-19.B

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

**Nays:** None

**Absent:** None

Resolution declared adopted this 19<sup>th</sup> day of September, 2022

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 September, 2022, 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

Motion made by Livingston, supported by Dudas to Approve Resolution No. 09-2022-19.B Approving Port Huron Township Application to the St. Clair County Road Commission for Funding under the 2022 Local Road System Funding Assistance Program in the amount of \$340,000 which will cover the resurfacing of Strawberry Ln with inch and a half layover and adding a 5 ft shoulder on once side of the road.

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

*Nay: None*

*Absent: None*

**Result: Motion Carried**

***G. Approve Resolution No. 09-20-19.C Approving acceptance of a gift of certain real property:***

**RESOLUTION NO. 09-2022-19.C**

**RESOLUTION APPROVING ACCEPTANCE OF A GIFT  
OF CERTAIN REAL PROPERTY**

**RECITALS**

**WHEREAS**, the Pasquale R. Acciavatti Trust owns a parcel of property located in the Charter Township of Port Huron identified as parcel number 74-28-006-1017-002 which is approximately 38.4607 acres (the "Property"); and

**WHEREAS**, the Pasquale R. Acciavatti Trust wishes to donate the Property to the Charter Township of Port Huron; and

**WHEREAS**, the Pasquale R. Acciavatti Trust retained Midwest Appraisal by Louis C. Petho, III to determine the fair market value of the Property applying USPAP standards; and

**WHEREAS**, the appraiser determined the fair market value of the Property to be \$445,000.00 and the Charter Township of Port Huron has received a copy of the appraisal; and

**WHEREAS**, the Port Huron Township Board of Trustees has determined that acceptance of the proposed gift of the Property will serve a public purpose and that it is in the best interests of the Township and its Residents to acquire the Property.

**NOW THEREFORE BE IT RESOLVED**, as follows, based on the recitals set forth above:

1. The Charter Township of Port Huron accepts the donation of the Property which shall continuously be used for a public purpose as determined by the Township Board; and

2. The value of the Property being donated by the Pasquale R. Acciavatti Trust is accepted to be \$445,000.00 based upon the independent appraisal performed by Louis C. Petho, III, dated August 15, 2022, and
3. The Charter Township of Port Huron authorizes the Township Supervisor to take all steps necessary to complete the transfer of the Property to the Charter Township of Port Huron from the Pasquale R. Acciavatti Trust.

**BE IT FURTHER RESOLVED**, that this Resolution shall have immediate effect.

**Motion** by Trustee Reno, support by Trustee Riehl to approve Resolution No. 09-2022-19.C

**Roll Call Vote:** **Aye:** Reno, Riehl, Livingston, Dudas, Shonka, Davis, Lewandowski  
**Nay:** None  
**Absent:** None

Resolution declared adopted this 19<sup>th</sup> day of September, 2022

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Benita E. Davis, Township Clerk

Motion by Reno, supported by Riehl, to approve Resolution No. 09-20-19.C Approving acceptance of a gift of certain real property:

*Roll Call:* *Aye: Reno, Riehl, Livingston, Dudas, Shonka, Davis, Lewandowski*  
*Nay: None*  
*Absent: None*                      **Result: Motion Carried**

**H. Approve Resolution No. 09-22-19.D Resolution adopting the St Clair County Hazard Mitigation Plan:**

**RESOLUTION NO. 09-2022-19.D**

**RESOLUTION ADOPTING THE ST. CLAIR COUNTY HAZARD MITIGATION PLAN**

**WHEREAS**, the Charter Township of Port Huron recognizes the threat that natural, social, and technological hazards pose to people and the community; and

**WHEREAS**, the mission of the Charter Township of Port Huron includes the charge to protect the health, safety, and the general welfare of the people of Port Huron Township; and

**WHEREAS**, undertaking hazard mitigation actions will reduce the potential harm to people and property from future hazard occurrences; and

**WHEREAS**, St. Clair County, with the assistance of a Hazard Mitigation Plan Steering Committee, comprised of representatives from the County, municipalities, and stakeholder organizations, has prepared a recommended Hazard Mitigation Plan that reviews the options to protect people and reduce damage from these hazards; and

**WHEREAS**, Port Huron Township has participated in the planning process for development of this Plan, providing information specific to local hazard priorities and encouraging public participation; and

**WHEREAS**, on August 18, 2022, the St. Clair County Board of Commissioners adopted the St. Clair County Hazard Mitigation Plan as a Committee of the Whole, as an official document of the County, pursuant to the Disaster Mitigation Act of 2000 (PL-106-390) and associated regulations (42 CFR 210.6); and

**WHEREAS**, on July 15, 2015, the Federal Emergency Management Agency (FEMA) officially approved the St. Clair County Hazard Mitigation Plan, making the County and its participating communities eligible for disaster mitigation funding; and

**WHEREAS**, an adopted hazard mitigation plan is required as a condition of future funding for multiple FEMA pre and post disaster mitigation grant programs; and

**WHEREAS**, the Plan has been widely circulated for review by the County's residents, municipal officials, and state, federal, and local review agencies and has been revised to reflect their concerns;

**NOW THEREFORE BE IT RESOLVED**, by the Charter Township of Port Huron Board of Trustees, that the St. Clair County Hazard Mitigation Plan is/are hereby adopted as an official plan of Port Huron Township.

**Motion** by Trustee Dudas, support by Trustee Livingston to approve Resolution No. 09-2022-19.D

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

**Nay:** None

**Absent:** None

Resolution declared adopted this 19<sup>th</sup> day of September, 2022

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 September, 2022, 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

Motion by Dudas, supported by Livingston to Approve Resolution No. 09-22-19.D Resolution adopting the St Clair County Hazard Mitigation Plan.

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

*Nay: None*

*Absent: None*

**Result: Motion Carried**

***I. Approve Appointing Patrick Pringle and Scott Beedon as alternates on the Zoning Board of Appeals:***

Motion by Livingston supported by Dudas to approve appointing Patrick Pringle and Scott Beedon as alternates on the Zoning Board of Appeals.

*Vote: All in favor*

**Result: Motion Carried**

**APPROVAL OF BILLS:**

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

Amount: \$1,844,509.44

Check #s: 51420-51508

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

*Nay: None*

*Absent: None*

**Result: Motion Carried**

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

Amount: \$734,721.22

Check #s: 51509-51560

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

*Nay: None*

*Absent: None*

**Result: Motion Carried**

**BOARD CORRESPONDENCE:**

Discuss possible sale of Township owned property at Michigan Rd/Moak/40<sup>th</sup> St approx.70-acre parcel for possible development.

Motion by Reno, supported by Dudas to get an appraisal of the approximate 70-acre parcel.

*Vote: All in favor*

**Result: Motion Carried**

**ADJOURNMENT:**

Motion by Riehl supported by Livingston to adjourn at 7:40 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, Clerk