

**MINUTES OF THE REGULAR MEETING OF THE
TUSCARORA TOWNSHIP BOARD**

February 2, 2016 – Approved March 1, 2016

Meeting called to order at 7:00 pm by Supervisor Ridley with the Pledge of Allegiance.

Members Present: McGinnis, Balazovic, Ridley, Fisher, Waldron

Members Absent: None

The January 5, 2016 regular meeting minutes were approved as presented.

Clerk Fisher moved and Treasurer Balazovic seconded to adopt the agenda with the addition of Correspondence. Motion carried unanimously.

Public comments on agenda items began at 7:02 p.m. Comments were received from one person. Public comments ended at 7:03 p.m.

Police Report: A policy and procedure has been put in place for the Narcan kits. Two patrol cars were damaged this past month, no injuries. One has been repaired and is back in service; the other should be ready within the next couple of weeks. The 2015 annual stats have been compiled and are available for review.

Committee Reports:

DDA: The authority met with the engineer and the CCRC to review the streetscape plan and to do a walk through town finalizing driveways. The new engineer is working on the grant proposal for MDOT.

Treasurer's Report: The general accounts have \$1,076,216.44 and the tax accounts have \$285,240.49 without interest.

Brian Burns, President and CEO of Presque Isle Electric & Gas provided a background on the Electric Franchise Renewal that is due to expire in 2018. To be considered irrevocable the franchise must be confirmed by the electorate. They are asking for an early renewal to target the regular elections in 2016. Burns is requesting the township to consider passing a Resolution supporting the expansion of natural gas service in Tuscarora Township. Tuscarora previously adopted an ordinance granting a natural gas franchise to Presque Isle. Presque Isle was denied by MPSC a certificate of public convenience and necessity that indicates there is a need for a second utility in our area. This Resolution will be used as the first step in seeking changes in the Act 69 process.

Motion by Trustee Waldron and seconded by Treasurer Balazovic to adopt the Presque Isle Electric & Gas Co-Op Irrevocable Electric Franchise Agreement and to place it before the electorate on the 2016 General or Primary Election. A roll call vote was taken: McGinnis, yes; Balazovic, yes; Ridley, yes; Fisher, yes; Waldron, yes. Motion carried.

Motion by Trustee Waldron and seconded by Trustee McGinnis to adopt a Resolution Supporting Expansion of Natural Gas Service to Rural Michigan to be sent to our State Representatives. A roll call vote was taken: Waldron, yes; Balazovic, yes; McGinnis, yes; Fisher, yes; Ridley, yes. Motion carried.

Clerk Fisher reviewed the letter received from the State of Michigan requesting additional information on deficiencies listed in the audit. Fisher and Supervisor Ridley reviewed the letter with our auditor to determine what corrections we would need to take. A couple of the deficiencies are very common with townships the size of Tuscarora and these deficiencies will see no change in our practices. According to our auditor Tuscarora would need to retain a full time accountant to meet the state statutes.

Two of the deficiencies related to the library and they have made the necessary corrections and new bank accounts have been opened that address the balance. Clerk Fisher has responded to the SOM letter and is awaiting reply.

Motion by Clerk Fisher and Supported by Trustee McGinnis to approve Top O'Michigan Outboard Racing Club's request to wave the no wake ordinance on August 13th and August 14th between 11:00 a.m. and 2:00 p.m. Motion carried unanimously.

Dan Nivelte, DDA Chair, reviewed and answered questions on the current streetscape design that the DDA has been working on. The plans are at the township offices for review.

Motion by Trustee Waldron and supported by Treasurer Balazovic to adopt a Resolution in Support of the Tuscarora Township DDA Streetscape project. And the DDA's effort to obtain grant funding from the Michigan Department of Transportation TAP (Transportation Assistance Program). A roll call vote was taken: McGinnis, yes; Fisher, yes; Waldron, yes; Balazovic, yes; Ridley, yes. Motion carried.

Trustee McGinnis presented a resolution of support for the board's review regarding Enbridge's Line 5. Governor Snyder has appointed a Pipeline Advisory Board to look into alternatives for the existing Line 5 pipelines in the Straits but they are not charged with looking at the safety of the pipeline that runs through Tuscarora Township between Burt and Mullet Lake and crosses the Indian River just north

of the I-75 interchange. McGinnis requests the board to adopt a resolution to send to Governor Snyder requesting this section of the pipeline to be added to the study.

Motion by Trustee Waldron and supported by Treasurer Balazovic to adopt a Resolution of Support for an Independent Study of Line 5 in Tuscarora Township with the noted changes. A roll call vote was taken: McGinnis, yes; Balazovic, yes; Ridley, yes; Fisher, yes; Waldron, yes.

Richard Lincoln has requested the township board approve his request to keep the septic tank and SludgeHammer Bacterial Generaor for the property located at 6240 Mack Avenue. Dave Goen, WWTP Operator has no problem with granting the request as does Mike Kavanaugh. Trustee Waldron pointed out to Mr. Lincoln that if the request is granted this will have no effect on the number of REU's assessed to the property. Clerk Fisher questioned whether the Ordinance gives us the authority to approve the request.

Motion by Trustee Waldron and seconded by Treasurer Balazovic to approve Mr. Lincoln's request to keep the septic tank at his property located at 6240 Mack Avenue pending legal approval and the understanding that this has no bearing on the number of REU's required for the property. Motion carried.

Motion by Trustee Waldron and supported by Treasurer Balazovic to set July 3, 2016, for the firework display and Friday, July 8, 2016 as the rain date. Motion carried.

Motion by Treasurer Balazovic and supported by Clerk Fisher to approve Project Arts & Ideas \$12,230 contract for four outdoor exhibits to be placed at the Marina Park Trailhead. Motion carried.

Discussion on the options available for payment of additional REU's assessed due a change of use. There is no provision currently in our ordinance for payment of additional REUs assessed outside of the special assessment district; currently these would need to be paid in full up front. Trustee Waldron has spoken to our attorney about this issue and a possible option to lease the REUs instead of the purchasing the REUs on a short term basis, 1 to 3-year maximum. This would only be possible while there available REUs. The township attorney is already working on an amendment to the ordinance for payment of the additional REUs outside of the special assessment district. Waldron would like to have him look into the possibility of leasing the REUs as well.

Gerri and Renee Mesack would like the board to clarify the criteria and classification of their property for the purposes of REU assessment. They have plans to open a small coffee shop that will offer baked goods and soups. There will be seating for a maximum of 15 seats for customers and are required to maintain a public restroom. A lot of their business will be take-out. They believe there is no criteria for their type of business proposal. Clerk Fisher requested that the criteria sheet be reviewed prior to the March meeting to see if it needs amending.

The board reviewed Amendment No. 2 to the sewer engineering agreement. The additional services of \$91,615 included with the amendment are: assistance with the Paolino lawsuit, easement acquisition, preparation and attendance at the town hall meeting, the sewer use ordinance and rate resolution, the Health Department permit for dewatering wells, construction staking, construction oversight for serving two businesses near Mack Avenue, and additional resident project representative hours. This amendment also includes a credit for the hydrogeological study listed in the original contract.

Motion by Trustee Waldron and supported by Clerk Fisher to approve Amendment No. 2 subject to approval by USDA and to withhold payment of the extra 32 hours needed for the Mack Avenue work and item #8 for \$23,945 until confirmation that the project costs do not exceed the budgeted figures. Motion carried.

Correspondence: Email from Jim Burke and Debra Hanson and a letter from Catherine Campbell.

Public comments: Public comment began at 8:37 p.m. Comments were received from three persons. Public comments ended at 8:44 p.m.

Motion by Trustee Waldron and seconded by Supervisor Ridley to pay the bills. Motion carried with five ayes.

Treasurer Balazovic moved to adjourn the meeting at 8:45 p.m.

Respectfully submitted,

Susan L. Fisher, Clerk

Michael Ridley, Supervisor