

CHARTER TOWNSHIP OF MONITOR  
REGULAR TOWNSHIP BOARD MEETING  
JUNE 24, 2019

The Supervisor called the meeting to order at 7:00 p.m.

Members present: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh  
Members absent: None

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m.

R. Moskal, 5215 Prairie Creek Ct., brought a complaint before the board regarding a neighbor noise problem. Moskal stated there is loud stereo music being played from a garage daily from 10 a.m. to 10 p.m. The Bay County Sheriff himself has been to the residence 4 times but there is nothing he can do. Moskal asked the board for assistance.

The Supervisor responded that he spoke with Bay County legal council and was told the county noise ordinance is not valid and cannot be enforced due to an attorney general opinion that the county cannot regulate city or township properties. Malkin did state the township could adopt a noise ordinance that the Sheriff Deputy could enforce.

County Commissioner V. Begick stated he spoke with the prosecuting attorney who confirmed that the county ordinance is only valid and enforceable on county owned property.

Public Input closed at 7:14 p.m.

Motion by Reder supported by Walsh to adopt the agenda with the addition of Township Noise Ordinance.

Motion carried.

Motion by Reder supported by Pike to approve the minutes of the May 13, 2019 regular meeting as presented.

Motion carried.

Motion by Reder supported by Walsh to pay the bills in the amount of \$105,347.55 from General Fund.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Motion by Reder supported by Kochany to receive the Treasurer's Report for May 2019.

Motion carried.

Weinlander Fitzhugh 2018 Township Audit Report

Mr. David Quimby & Ms. Jennifer Hobkirk from Weinlander Fitzhugh presented the 2018 Audit report to the Board. Board members were provided the opportunity to ask Quimby questions concerning the audit. Mr. Quimby explained the various audit reports and how they comply with the GASB34 requirements.

Second Amendment to Interlocal Agreement ó Kawkawlin River Dredging

Motion by Brandt supported by Reder to approve the Second Amendment to the Interlocal Agreement between Bangor, Kawkawlin and Monitor Townships regarding dredging of the Kawkawlin River.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Intent to Apply for USDA Loan ó Sewer System Improvements

S. Szaroletta from Spicer stated the USDA loan application requires publication of the notice of intent.

Malkin stated he has been in contact with the USDA concerning questions they had regarding the application but is confident all items could be satisfactorily addressed prior to their determination to approve or reject the application.

Motion by Reder supported by Pike to approve the USDA application and confirm the Township's intent to apply for a USDA loan in the amount of \$3,900,000 to fund the rehabilitation of the existing sanitary sewer system.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Bendzinski Engagement Letter for Rural Development Bonds for Sewer System Improvements

Motion by Brandt supported by Reder to approve the May 20, 2019 engagement letter to hire Bendzinski municipal financial advisors to assist in the bond issuance associated to the sewer USDA bond financing in the amount of \$21,700 with funds to be paid from the township sewer fund.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Miller Canfield Engagement Letter for Rural Development Bonds for Sewer System Improvements

Motion by Brandt supported by Kochany to approve the May 20, 2019 engagement letter to hire Miller Canfield for bond counsel services associated to the sewer USDA bond financing in the amount of \$35,000 with funds to be paid from the township sewer fund.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Consumers Agreement & Installation of Streetlight 3 Mile and Wilder

Motion by Reder supported by Malkin to approve the Consumers Energy contract/agreement to install a streetlight at the corner of 3 Mile and Wilder in the amount of \$100 and have this streetlight added to the township's streetlight billing account and to further approve the resolution contained in Part III as follows:

RESOLUTION

RESOLVED, that it is hereby deemed advisable to enter into a contract with Consumers Energy Company of Jackson, Michigan, for furnishing lighting service within the Township of Monitor for a period of 2 year(s) and thereafter from year to year, in accordance with the terms of the contract heretofore submitted to and considered by this board; and

RESOLVED, further, that the Supervisor and Clerk be and are authorized and directed to execute such contract on behalf of the Township.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Additions to 2019 Road Improvements & Possible General Fund Budget Amendment

8 Mile & US-10 to Salzburg & BCRC Agreement for Crack Sealing HMA Roads

Motion by Reder supported by Walsh to approve the additions to the 2019 Road Improvement projects as follows: 8 Mile & US-10 to Salzburg, total project cost \$21,000 split 50/50 with Williams Township (Monitor's share is \$10,500); and the agreement with the BCRC to do overband crack sealing of HMA roads with a PASER rating of 7 or greater in the amount not to exceed \$4,326.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Motion by Kowalski supported by Brandt to increase the 2019 General Fund road expense account 446930, \$15,000 for the additions to the 2019 road improvement projects.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Fireworks Permit Application ó Rueger Farms July 13, 2019

Motion by Pike supported by Malkin to approve the fireworks permit application submitted by K. Weaver for a fireworks display at Rueger Farms on July 13, 2019 contingent upon fire department inspection of the site prior to the event.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

2019 DWS Annual Sewer REU Review and Adjustment Recommendation

Motion by Reder supported by Pike to approve the DWS June 11, 2019 recommendation to adjust REUø based on the actual use history, resulting in a net REU decrease of 16.933 REUø, to be made effective the 3<sup>rd</sup> Quarter 2019 billing cycle.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Hall Request ó Creekwood Estates Association Annual Meeting May 19, 2020

Motion by Malkin supported by Reder to grant the Creekwood Estates Association use of the township hall on May 19, 2020 for their annual meeting; signed contract, all fees waived.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Township Noise Ordinance

There was discussion regarding enforcement issues related to the township adopting a noise ordinance. It was also discussed that if the time frame were similar to the Countyø ordinance of 10 p.m. to 7 a.m. this still would not help the resident with noise issues during the day.

Malkin stated he would draft a noise ordinance for board consideration at a future meeting.

REPORTS

M. Norton gave a road progress report on Sharon Park; curb/gutter work on Cedar and Birchwood; and 2019 projects that have been started.

The Supervisor gave a report on the following:

- Steih Park Update ó Malkin and the Treasurer met with a representative from the Community Foundation to discuss applying for a \$150,000 grant to do improvements to Steih Park. Malkin also stated the church property adjacent to the park is for sale and may be of interest to the township.

- Bay County Ash Tree Inventory & Assessment ó Township Park
- Park Custodian
- Question regarding township attorney representing client to do boundary adjustment of lot line in a subdivision that may require township board approval.

The meeting adjourned at 8:24 p.m.

Cindy L. Kowalski, Clerk

Ken Malkin, Supervisor