

**CHARTER TOWNSHIP OF CLAYTON
BOARD OF TRUSTEES
REVISED REGULAR MEETING MINUTES
JANUARY 14, 2016 - 7:00 P.M.**

CALL TO ORDER

Supervisor Gehringer called the meeting to order at 7 p.m.

ROLL CALL

Present: Chris Gehringer, Supervisor
Dennis Milem, Clerk
Rick Caruso, Treasurer
Greg Childers, Trustee
Tamara Kapraun, Trustee
Rich Tesner, Trustee

Absent: Mike Crockett, Trustee

Others Present: Chief Scott Pavlik, Clayton Township Police Department
Ken Tucker, Attorney
Robert Widigan, Planning Commissioner
Deanna Turner, Stenographer

APPROVAL OF THE AGENDA

Supervisor Gehringer stated that there are two additions to the agenda: Michigan Tax Tribunal and Employee Raises as agenda numbers 11 and 12, respectively. Also, item number seven, Jeff Allen CTI Communication Technologies Telephone Systems has been removed from the agenda.

Motion by Tesner, supported by Kapraun to approve the January 14, 2016 Clayton Township Board of Trustees agenda with additions and deletions.

ROLL CALL VOTE:

Yeas: Childers, Gehringer, Tesner, Kapraun, Milem, Caruso
Nays: None.

MOTION CARRIED.

APPROVAL OF MINUTES FOR DECEMBER 2015 MEETINGS

Motion by Childers, supported by Caruso to approve the minutes for the December, 2015 Clayton Township Board of Trustees meetings.

ROLL CALL VOTE:

Yeas: Gehringer, Tesner, Kapraun, Milem, Caruso, Childers
Nays: None.

MOTION CARRIED.

APPROVAL OF BILLS LIST

Supervisor Gehringer inquired about the bulbs and batteries purchased from Battery Plus. Chief Scott Pavlik stated they were purchased for the outside lights. The bulbs are expensive at \$20 each.

Motion by Caruso, supported by Milem to approve the Bills List.

ROLL CALL VOTE:

Yeas: Tesner, Kapraun, Milem, Caruso, Childers, Gehringer
Nays: None.

MOTION CARRIED.

TREASURER'S REPORT

Supervisor Gehringer stated there was an exorbitant amount of interest from last month due to a clerical error and it will be corrected.

Motion by Caruso, supported by Milem to approve the Treasurer's Report.

ROLL CALL VOTE:

Yeas: Kapraun, Milem, Caruso, Childers, Gehringer, Tesner,
Nays: None.

MOTION CARRIED.

2016 BUDGET REVIEW AND ADJUSTMENTS

None.

PUBLIC COMMENT

A resident asked if that was the only time they would be allowed to speak. Supervisor Gehringer said there is a public comment period right then, and another one at the end of the meeting.

Dale Childs spoke regarding the compost yard. There have been complaints from people on Saratoga. He lives straight east of there and gets odor more than most. One day a month it gets a little rich, but it's not a really big issue. He doesn't see any reason to stomp Fick down to a greasy spot. Mr. Childs has the

same business as Mr. Fick and would get more business if he left, but he doesn't want that to happen. The township and state ordered him to do things a certain way and Mr. Fick has been making remedies. Mr. Childs hasn't smelled anything in weeks and just wanted to come and give his two cents. He said it is not a bothersome situation; some people are inconsolable.

Jeremy Huffman, new member of the community and is a member of the Veterans Farmers Coalition. He was also a sergeant in the Marine Corps. He wants to take back over food streams. He stated there are disturbing things with kids growing up these days. Mr. Huffman feels compelled to do things the right way. He comes from a family of farmers. He is speaking because he cannot achieve a healthy farm without compost. He is not willing to spread pesticides or chemicals on things going into his family. His children are seven and nine. Mr. Huffman said it scares him with what is going on in food today. He said compost is something that is essential going forward and farming needs to change in that direction more.

Steve (resident) said he approves of compost. It is better than going in landfill, which is full enough. Things are getting recycled.

Gary Ruston also approves. He said Mr. Fick provides jobs for three of his friends. People no longer dump on his road.

Brian Sunde said in Clayton Township, certain things frowned upon. Mr. Fick is doing a heck of a job, growing his business and creating jobs. He said his business is on a state highway and it is wonderful that product is not going into the landfills. He doesn't understand why it is being frowned upon.

Chris Reid, landscaping company owner, graduate of Kettering University, stated he uses compost on properties they service. The product is that good and lawns look great. They no longer use pesticides. If you aren't doing it, you are stupid.

Jerry Winer said he supports Mr. Fick and his efforts and what he is doing. Mr. Fick has hired people and he is recycling. He said that he knows the township supports recycling.

Matt Hunt said he would rather see it dumped in a lot than next to his house.

Attorney Rizik asked if they can present information that came in late. Mr. Gehringer answered, yes.

Susan Hyde, representing the Saratoga Board, said they have no expectations for a decision to be made that night if the Board of Trustees needs more time. She said the residents don't necessarily discard that compost isn't a good thing, but it needs to be managed and in compliance according to the regulations set by the township.

BOARD COMMENT

Supervisor Gehringer said there have been accusations that the township set down restrictions to Park Place Composting and that is not true. Restrictions that were set down were recommendations by the State of Michigan Department of Environmental Quality (DEQ) or composting personnel themselves. He said they requested timely hours in regards to the hours of operation. Supervisor Gehringer said he doesn't like the impression that they are willy-nilly pulling stuff out of their ears and putting restrictions on a business.

CORRESPONDENCE

GENESEE COUNTY ROAD COMMISSION

Supervisor Gehringer discussed a letter from the Road Commission in regards to a bill signed by the governor for monies for the roads. John Daly, Road Commissioner, communicated to Clayton Township that they essentially wouldn't receive any funding for a long time. He said he understands the Road Commission's position, as well as the state's position.

Supervisor Gehringer discussed a pricing guideline from Charter Communications regarding monthly charges for the township's internet and phone lines, estimated at \$179.94. The most recent bill for Frontier, the current provider, was \$196 for the phone bill alone. By switching over to Charter Communications, the township could potentially save \$1,100 per year, which can be put back into the township general fund.

Ms. Kapraun asked how long is the price guaranteed. Supervisor Gehringer said he thinks for as long as the township has the service. He added they could raise the price five-ten years down the line, but Frontier could as well also. He said moving forward, he would like to contact Frontier to terminate their services for Clayton Township offices. He added the police department has a contract for their phone and internet through August. Ms. Kapraun suggested he speak to Charter Communications first. Supervisor Gehringer said he will make sure the township doesn't lose coverage.

Clerk Milem said there was a letter from Joe Madore, Supervisor of Richfield Township regarding EMS mutual aid. Supervisor Gehringer said the most pertinent part was reference to ADLS (?). The Genesee County Medical Control has a problem with ambulance service coming from Brandon Township into Atlas Township. They have basically said they have to have certain certifications waived in order to bring an ambulance into Atlas Township and across counties. Brandon Township does not want to expend the funds to add the vehicle locaters and would like that waived so they can operate in Atlas Township. They are petitioning the Michigan Townships Association local chapter to advocate for them to not have to have the locaters installed. Supervisor Gehringer asked the board to read the letter and provide feedback.

OLD BUSINESS

None.

NEW BUSINESS

Supervisor Gehringer stated the item for Park Place Meadows would be moved from item number 10 to item number six.

Clerk Milem reviewed the Planning Commission's recommendation to the Board of Trustees and discussed the public hearing that took place. Clerk Milem read back the motion that was passed to make the recommendation sent to the board.

Supervisor Gehringer said they could address the motion in a couple different ways and left it up to the board members to address it in the way they see fit at that point.

Motion by Mr. Tesner, supported by Treasurer Caruso, for the purpose of discussion, to not accept the Planning Commission's recommendation.

Supervisor Gehringer stated they feel as a board there needs to be more assurance for the community that if the business should fail doing what they proposed, that the facility would be removed from the site. He said they approved a special conditional use permit and it is up to them to regulate that to some extent. He said he believes that the passing of of the Planning Commission's resolution without any other stipulations or assurances was an error. As such, he feels that they should put their own stipulations on it.

Supervisor Gehringer stated in order for Park Place Composting to have a six-month extension until July 19, 2016, there must be no smell for 14 days. The special conditional use permit will be revoked if the site is out of compliance. Supervisor Gehringer said he would like to explain. He said he had a frank conversation with John Fick and he was assured the site would be brought into compliance and they would have no problems with the smell. Supervisor Gehringer said that is not an unreasonable request. He said the township would also require a \$100,000 performance bond within 60 days of non-compliance. Also, there can be no DEQ registration until after August 16, 2016 because they are carte blanche and once they are registered, it is for three years or nothing. Supervisor Gehringer said they would allow Park Place to work on the site for six months to come into compliance and then be allowed to get their DEQ registration. He said all Genesee County surface water requirements must be met by July 19. Clayton Township would need complete access, 24/7 to the site. There also needs to be a waiver of litigation signed by Park Place Meadows. Supervisor Gehringer stated all of the conditions and the Park Place report should be put into a court order.

Clerk Milem said he would like to make a couple statements because he is one of the longest serving board members dealing with the issue. He said he is not saying that to receive accolades and he sees both sides of the issue. He referred to the resident who said, "I'd rather have it over there than in my ditch." Clerk Milem said he thinks about his ditch being 12 acres on top of someone's house. He said composting is something they all believe in it because we all put their leaves & grass clippings out at the road and they are gone every day and that's great. He said no one thinks about where that goes. It goes somewhere, but not in his backyard. But it goes in someone's backyard. There has been a lot of things have been done better, since the inception of this where no one knew how to do it. Clerk Milem said when they talk about smell, in the very beginning, the Planning Commission was told there would be no smell. He said as recent as the 4th of July of this last year, people were barbecuing in the front part of their house because they couldn't stand the smell. He said it is hard to explain how rotten the smell is when piles are catching on fire because they are getting compressed. The smell was horrible and that is what the Board of Trustees, the Planning Commission, Fick composting, and residents have been trying to work out for the past three years. Clerk Milem said they been told this and this, going to do this and this and it hasn't gotten done. He said there was a comment about things being done that Park Place had to do and that is absolutely bad information. The DEQ was taken to task at the last meeting. He said they were at the meeting with Supervisor Gehringer, and the attorneys at the attorney general's office. He said they couldn't get two DEQ people to agree on same questions. Clerk Milem said Mr. Caruso put together a list of stipulations and brought it before the board that night and they want to try to come to some resolution. He said if that is to shut the facility down and it is gone, then that is what it is. He said he has been thinking about it and at the very end of all the requirements, if there is still a smell at the site, then they have a problem. He said it is an up and coming neighborhood, there are new building permits, and it

is going to get better. The people on Saratoga have been going through hell and he wouldn't want to live there. He added they all want to compost and they either can make it work or cannot make it work. He said he has to err on the side of not making it work as to drawing it out for another two years.

Mr. Caruso said it has nothing to do with composting. It is a violation of township ordinance and they let it take on a life of its own. He said there is an order violation and the material should be moved off the site. Attorney Rizik said they hired Iris for that very issue. Mr. Caruso asked if there was a stipulation in the court paper that they would leave. He said good neighbors would leave and court orders are what they need.

Attorney Tucker said they are talking about two different things. Mr. Caruso said he saw an email where Mr. Riem asked if they could continue to violate the nuisance order.

Attorney Riem said if the board accepts the Planning Commission's recommendation then they will not proceed with litigation.

Ms. Kapraun read the email sent from Attorney Riem to Attorney Tucker:

Ken,

Please let this email confirm our conversation on Tuesday that my client(s) will sign a waiver of litigation prepared by you indicating that if the Board approves the recommendation of the PC that right is waived.

Please advise,

Kyle

Attorney Riem stated the Planning Commission is an arm of the Board of Trustees. He said if the Board of Trustees would follow public opinion to let Mr. Fick continue for six months. The Planning Commission did an excellent job. He said referred to Dr. Shaw, who is held in high regard, a smart, detailed and honorable man. On October 20, 2015, Dr. Shaw was asked at the Planning Commission meeting by a resident of it was the goal to shut down the compost facility. Dr. Shaw responded, speaking only for himself, yes, he would shut Fick down. He said after hearing public comment, Dr. Shaw did a 360 (sic) and Fick should continue. He said if that group of people could change his opinion to that; they should put a little credence to that. They did a great job.

Mr. Caruso said he is not denying that; he wasn't there.

Attorney Riem said it has been speculated that Attorney Rizik is Mr. Fick's "hired gun." He said knowing that Attorney Tucker was busy in a trial, he sent him a text stating, "please don't let that 'pretty suited man' give the impression that we are going to commence litigation." He subsequently sent the email to what Ms. Kapraun read.

Ms. Kapraun read the email again.

Attorney Riem asked how they are in violation of a nuisance ordinance. Mr. Caruso responded if enough people complain.... Attorney Rizik said the DEQ has no way of measuring, read the transcript of the

hearing, they are bringing Iris in for the first time. He said they are developing standards necessary to what is coming from the site to determine if it is a nuisance odor or not. He said there are no standards at that point. They are doing it for the first time and they cannot do it in one day, not six days. He said they are hiring people to develop the standards, which will end up at the DEQ for other similar sites. Attorney Rizik said, with all due respect, the board cannot say that they are going to violate the ordinance. Mr. Caruso responded that it violates the ordinance as it exists today. Attorney Rizik asked how they quantify it to show how it is violated.

Supervisor Gehringer answered through a show cause hearing. Mr. Caruso said it is complaint driven. Attorney Rizik said complaints are subjective. They are trying to develop quantifiable data, create an odor hotline. He said they have asked the township to be involved in every step of the process. He said until that's done, you cannot say automatically; it is subjective. They may not have smelled it today.

Supervisor Gehringer said it is not a case scraped up in last year or the year before. They have worked with John Fick time and again to develop something. They have always been told "this will fix it" and it hasn't been fixed. He said that they must understand the frustration of the board and the residents.

Attorney Rizik answered, they do. They talked with the attorney general and the DEQ and they were given bad information from the DEQ on how to handle it. He said they admitted they don't know what they are doing and that Park Place is the test case.

Supervisor Gehringer said that Attorney Riem made a statement that the Planning Commission gave their nod towards the Clayton Township Board of Trustees. What he said was, there should be stipulations or with stipulations. The Planning Commission sent the recommendation with no stipulations and that is disingenuous to them.

Attorney Rizik said then it was insincere by your own planning board. Attorney Tucker said incomplete maybe. Attorney Rizik said as an aside, it would have been nice to get the list of stipulations before that day so they could address it. He said it plays into what Ms. Hyde stated.

Supervisor Gehringer asked what he thinks is wrong with that. Attorney Rizik responded that the six month extension is not a problem. In reference to the words, "no smell;" there is nothing that has no smell, nothing on earth. Nothing is odorless. Supervisor Gehringer said those are his words from the first meeting, not theirs. Attorney Rizik said in the context of the ordinance, they never said there would be zero smell. There will not be a nuisance smell. They have Iris to assist them. Clerk Milem was there.

Mr. Milem said that at the first meeting, they were told there would be very few trucks and there would be no smell.

Attorney Rizik said they have moved ahead of that and is referring to the date that they all met at the attorney general's office. They are developing a plan. That is why they are there. They have given the township a plan that has cost them thousands of dollars. He said he is not sure what happened three years ago; he is referring to November forward. Attorney Rizik said when you say there is no smell, there isn't a resident in the township who has a home that is not putting off some smell. He asked if that violates the nuisance odor ordinance. He said they have an alternative dispute resolution method, something decided by an independent third party. They have an exit plan and they will turn the site back to its original state.

Attorney Rizik said they will have to look into the \$100,000 performance bond. He said if they table the recommendation because they have to look into that, they are done because they have to be in front of the judge on Tuesday.

Attorney Tucker said they can request an adjournment. Mr. Caruso said they can meet any day. Attorney Tucker said he doesn't think Judge McCabe would oppose an adjournment.

Mr. Tesner said the matter at hand, as he sees it, there is a motion on the table to not accept the recommendation from the Planning Commission. He said that is irrelevant at that juncture. In terms of the proposal, he has problems with it. There are no measurable outcomes, which they talked about. Mr. Tesner added even the consultant said there are no standards by which to judge the minimization of odors. He asked who has the authority to say yes or no at the end of June if Park Place is in compliance or not.

Attorney Tucker said he has spoken to everyone separately at some point and the concern he is hearing from the board is there is no way to measure if they are in compliance or not, who gets the final say, their people or the Zoning Administrator.

Attorney Rizik said it is not going to be their people and they know it's not going to be. He said it will be someone from the township. Between now and that point, they need measurable criteria. They have an engineer from Iris to develop standards so there is a measurable criteria, but they are not the final say. He said they asked the township to work with them to develop measurable criteria, but they need six months to be able to do that.

Mr. Tesner said he cannot vote for it the way it is written. Attorney Rizik asked who they want to be the authority. Mr. Tesner said it doesn't matter to him as long as it's in writing. Supervisor Gehringer responded, the zoning administrator.

Mr. Tesner added that at the Planning Commission meeting, he heard everything the public said and it was not a unanimous support of Mr. Fick. He said there are a number of residents who have not shown up that night. He said the non-residents outweighed the residents. There were residents present from Flint Township and the City of Flint. He heard all of the comments and left after public comment. He said a comment was made that Dr. Shaw did a turn-around. Mr. Tesner asked if he should vote blindly with the Planning Committee or with his own conscience. Attorney Rizik said he is not questioning any of that, but just trying to answer his concerns by giving him what he wants.

Attorney Rizik said that Mr. Milem voted yes for the recommendation. He asked him what changed. Mr. Milem said he knew that a vote would get the recommendation to the board and he said the board always seems to make changes. He added that he told Mr. Fick that he doesn't think he can pull it off. He said he also has a concern about the product being removed from the land if it does not work. Mr. Milem said not to take his recommendation as he was embracing it as a great thing and that is what they have to do. He said if he denied it, everything got stopped and the product would sit there and the residents would have problems.

Ms. Kapraun said the stipulations were brought to the board members at the last minute and Attorney Tucker had nothing to do with it. Supervisor Gehringer said it was written at the last minute by Mr. Caruso. He added that everything was discussed with either Mr. Fick or Attorney Riem, including the bond.

Attorney Rizik said before they jam it down their throat, they would like to talk with their experts and meet the goals that they want them to meet.

Attorney Riem stated that there is already an exit strategy in place and he agrees to be bound by them.

Supervisor Gehringer said there is a valid argument to the no smell statement. He said he doesn't see anything that they couldn't acquiesce to at that moment. Attorney Rizik said he needs to discuss that with his client first. Supervisor Gehringer stated that he spoke with Attorney Riem and he didn't have a problem.

Attorney Riem said he did speak with Supervisor Gehringer and they did talk about a few things on the list. He said they are agreeable with everything except the smell, which they didn't discuss. He said he is not worried about the bond or with Ted Henry, Zoning Administrator, being involved with enforcement. He said they didn't discuss the bond, but it is not a problem. Attorney Riem said there is no way he can let Mr. Fick agree to no smell.

Supervisor Gehringer asked if they had a problem with waiting on the DEQ registrations. Attorney Riem said Mr. Fick needs to look at it. Mr. Caruso said they have been operating without a registration anyway. Mr. Fick said he lost his registration on September 14, 2015.

Mr. Tesner said the motion on the floor is to deny the recommendation from the Planning Commission. He asked if there is an option to file for an extension with Judge McCabe. Attorney Rizik said if they want to table it, maybe they can get a hold of the judge tomorrow.

Mr. Tesner said they are all in favor of composting and he doesn't want to be considered stupid for not composting, but he is in favor of having it done right. He is also in favor of enforcing ordinances as written. He is also supporting the residents near the site.

Attorney Riem said they are waiting on results from the samples sent to Michigan State University to determine the carbon/nitrogen ratio. He said without that information, they do not know what needs to be done. Supervisor Gehringer asked if the results are back and if so, could they update the report.

Mr. Caruso said regardless, he would like to see the date July 19, 2016 left alone. Attorney Tucker suggested they schedule a meeting date to negotiate. Supervisor Gehringer said after the attorneys meet, they will call a Board of Trustees meeting. Attorney Riem said he would provide the information from the California expert and the MSU results. Attorney Tucker suggested they also make a call to their insurance carrier to inquire about a negligible bond.

Supervisor Gehringer recommended creating an ad-hoc committee.

Chad ?, Bioworks Energy, said they are an organic bio-gas facility who were hired to look at the engineered processes, not just as moving material back and forth. He said they managed the system as a complete operating process and that is their expertise. He said Mr. Fick's site is unique and has a lot of ability for success and a team that can make it successful.

Mr. Caruso asked if they had any sites that have minimal smell and no complaints. A representative from Iris said none they oversee. Chad discussed the nuisance issue and that odors to anyone can be different. He said that nuisance needs to be defined and quantified.

Mr. Fick stated he went to Tuthill the previous day because he knew it was time for them to flip. He had a long conversation with the operator and what he was doing. He said you couldn't smell anything as he drove around the neighborhood.

Ms. Kapraun said she and her husband were at a convention at a homeopathic place in Wisconsin and there was no smell from compost.

Mr. Tesner modified his motion to table the recommendation from the Planning Commission.

Motion by Tesner, supported by Caruso to table the recommendation from the Planning Commission.

ROLL CALL VOTE:

Yeas: Milem, Caruso, Childers, Gehringer, Tesner, Kapraun

Nays: None.

MOTION CARRIED.

Supervisor Gehringer called for a short recess at 8:39 p.m.

Supervisor Gehringer reconvened the meeting at 8:45 p.m.

AFFORDABLE COMPUTERS QUOTE

Supervisor Gehringer said the computer is for Shelly Thompson who has been working on an out-dated computer. He said the price is \$399.99, which he feels is a fair price. In order to expedite the order, he solicited only one quote and requested the board to indulge him that one time.

Motion by Childers, supported by Milem to order a computer for Shelly Thompson in the amount of \$399.99.

ROLL CALL VOTE:

Yeas: Caruso, Childers, Gehringer, Tesner, Kapraun, Milem

JEFF ALLEN CTI COMMUNICATION TECHNOLOGIES TELEPHONE SYSTEMS

Item deleted from agenda.

TOWNSHIP CREDIT CARDS

Supervisor Gehringer said they first started discussing credit cards to help expedite purchasing items for a lesser price online or purchase some fuel and not use their own credit cards and have to get reimbursed. He said a motion was put forth and a decision was made by the board to get the credit cards. The board approved a \$500 credit limit for only one credit card, however, they received three credit cards, all with a \$1,000 credit limit each. Supervisor Gehringer apologized for the confusion. The three credit cards have

been issued to Supervisor Gehringer, Chief Pavlik, and the police secretary, Rebecca. He said he didn't realize there was a \$1,000 limit until they arrived. He said he isn't sure if the credit card company would reduce the limit to \$500 on each card.

Ms. Kapraun said they need to live according to what they voted for and approved.

Mr. Caruso said he spoke with Flushing Township and they only had one card for the clerk, who passed it off to whomever they wanted. They eventually ended up with six separate cards with \$500 limits for everyone with the exception of the clerk at \$1,000. He asked if they ever run into penalties and interest and they responded once they didn't get authorization in time from the board and ran into fees. They had the fees waived after calling. He agrees with Ms. Kapraun on having one credit card, however, he doesn't know how that could work.

Supervisor Gehringer said they have to have oversight of the spending and watch how the monies are being spent. He said he will make sure things being purchased are number one, prudent to the township, number two, not purchased in any other fashion. and number three, not over extend the monies or take advantage of it. He said there needs to be trust on the board's part. Supervisor Gehringer said he is responsible for getting on the website and seeing where monies are being spent.

Mr. Caruso said the cards should be used when necessary, not when it's easy. Ms. Kapraun said they have taken checks to the post office.

Supervisor Gehringer said he can reset the limit; he doesn't have a problem with that.

Motion by Childers, supported by Caruso to raise the credit limit to \$1,000 for three separate charge cards.

ROLL CALL VOTE:

Yeas: Childers, Gehringer, Tesner, Milem, Caruso

Nays: Kapraun

MOTION CARRIED.

BOARD OF REVIEW TRAINING

Mr. Milem said that Shelly Thompson requested to attend Board of Review Training. He the cost is \$81 in Frankenmuth.

Motion by Milem, supported by Childers, to send Shelley Thompson to Board of Review Training on February 16, 2016 in the amount of \$81.

ROLL CALL VOTE:

Yeas: Gehringer, Tesner, Kapraun, Milem, Caruso, Childers

Nays: None.

MOTION CARRIED.

EMPLOYEE RAISES

Mr. Caruso said they approved raises at .75 per hour per employee for two part-time employees, one full-time employee, and police secretary. It was never made into a motion. It was put into the budget. He would like to make it retroactive to the first of the year.

Motion by Caruso, supported by Milem to approve employee raises at .75 per hour per employee for two part-time employees, one full-time employee, and police secretary, retroactive to January 1, 2016.

ROLL CALL VOTE:

Yeas: Tesner, Kapraun, Milem, Caruso, Childers, Gehringer
Nays: None.

MOTION CARRIED.

MICHIGAN TAX TRIBUNAL

Supervisor Gehringer said he doesn't know at what point which Michigan Tax Tribunal (MTT) they were going to fight. There are four MTTs speaking with their assessor and there are four that have merit for them to go forth and at least get a cost for the appraisals for those properties. He said they are not going to be cheap appraisals. He is estimating at least \$5,000 each for appraisals.

Mr. Childers asked if they have spoken to any appraisal companies. Supervisor Gehringer said they are waiting to hear back.

Supervisor Gehringer said when they look at what they stand to lose, per year, it is a lot of money. He said if they fight any of them, it is not set in stone they will win.

Mr. Caruso referred to Iceland Arena that had an SEV reduction of \$1.1 million down to \$250,000. The Genesee County Equalization Director, Peggy Nolde, stated that it affects the other commercial properties when that happens. It is spread out around the commercial properties in the township. The taxable value doesn't go up, the SEV does.

Mr. Milem said it is certainly worth the appraisal. Supervisor Gehringer said they can go back to Ms. Nolde and ask her to forgive that and it is completely up to her whether or not she will do that. They are not the only ones in that predicament. He said they do not have a lot of commercial property because they are a smaller demographic. Supervisor Gehringer said that is an encouragement to fight and keep them up as much as possible.

Motion by Gehringer, supported by Childers to set appraisal amounts at \$5,000 per parcel for four properties for the Michigan Tax Tribunal.

ROLL CALL VOTE:

Yeas: Kapraun, Milem, Caruso, Childers, Gehringer, Tesner
Nays: None.

MOTION CARRIED.

PUBLIC COMMENT

None.

REPORTS

ATTORNEY REPORT

Mr. Tucker said there are no other pending remarkable cases except Park Place Meadows. He said there was police activity there at Christmas time. Supervisor Gehringer said it would be reflected in the bill they receive. Mr. Tucker concurred.

FIRE BOARD REPORT

Ms. Kapraun said there were 176 runs the previous year. A discussion ensued regarding cost recovery.

Supervisor Gehringer asked for a report on the Whaley House fire. Ms. Kapraun said they haven't had a Fire Board meeting on that yet, but they have received a couple of phone calls. They will be meeting in two weeks and she will have a report after that time. She said she believes a firefighter drove the truck into the driveway, attempting to back up and went sideways, and subsequently stuck. Ms. Kapraun said they would probably have to pay for that, but insurance should pay for whatever they need to pay for.

Supervisor Gehringer said there is no Roads and Bridges report.

Mr. Caruso stated the Water and Waste meeting was rescheduled for January 27, 2016.

PLANNING COMMISSION

Mr. Milem said there would be a public hearing on January 26, 2016 regarding a new cell tower around the corner of Potter and Nichols roads.

METRO ALLIANCE

Mr. Widigan no action was taken as pertaining to Clayton Township.

POLICE DEPARTMENT

Chief Pavlik referred to the year-end report. He said it was a good year and major crimes were down 35% with home invasions down by 70%. He said crimes were down over all since 2012. He added they came under budget.

Mr. Milem said he spoke to the insurance company who doesn't want the grant until the first of May. He will put it on the agenda for April, get a resolution and send it in to them.

Mr. Tesner said kudos to Chief Pavlik who had a friend who had a positive interaction with an officer during the snow storm. The person slid through a red light, was pulled over, and spoke to them about the road conditions without further incident.

Chief Pavlik said they currently have only three full time employees as opposed to six, in 2012. He said overtime is down 50%. He said cost recovery gained \$5,000 in impound fees and \$16,000 in forfeitures.

Ms. Kapraun asked if they were reimbursed for the coordinated security. Chief Pavlik said they provided security at a local school when it began for the date and when they were excused for the day. They were paid for the office posted there.

Supervisor Gehringer asked what are the intentions regarding the motor carrier. Chief Pavlik said he is sending two officers to motor carrier school next week in the amount of \$500 each for school and salaries.

Supervisor Gehringer said they have had long discussions about hiring a motor carrier. Chief Pavlik said he is currently sending his officers rather than advocate for a motor carrier. He currently pays a part-time officer \$15 per hour. A motor carrier would need a certified police officer with a bachelors degree. He also said the school is only offered once a year. They are going to try it for one year. He knows someone who would be interested, but they are one year away from retirement and he doesn't want to work a part time job on top of a full time job. Chief Pavlik is going to get the motor carrier unit going. He spoke to all of his officers. If he posts next year, they will have to pay a lot more starting wage to find someone qualified with experience. He said he knows his officers are capable and they are excited about the opportunity.

ZONING BOARD OF APPEALS

They didn't meet.

911 ADVISORY COMMITTEE

They didn't meet.

ADJOURNMENT

The meeting was adjourned at 9:32 p.m.

Minutes by

Minutes Accepted by

Dennis Milem, Clerk

Chris Gehringer, Supervisor