

**ST. CLAIR TOWNSHIP**  
1539 S. Bartlett Rd. St. Clair, MI 48079  
Phone: 810-329-9042 Fax: 810-329-1198

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St. Clair Township Board Meeting  
March 16, 2015  
7:00 PM

Supervisor Mahaffy called the meeting to order at 7:00 pm with the Pledge of Allegiance to the Flag. All Board Members present.

1. Moved by Trustee Boulier. Seconded by Trustee Boeck to accept the minutes of the March 2, 2015 Township Board Meeting. Motion carried.

2. Moved by Treasurer Miskus. Seconded by Clerk Skonieczny to pay all bills.

**GENERAL FUND**

21ST CENTURY MEDIA	PUBLICATIONS	459.88
TALMER BANK (CREDIT CARD)	OFFICE SUPPLIES	54.98
XPEDX	OFFICE SUPPLIES	19.79
KELLY, WHIPPLE, ZICK	LEGAL FEES	252.00
DTE ENERGY	STREETLIGHT	41.66
ADVNET.NET	COMPUTER SERVICES	50.00
AT & T	TWP HALL	312.69
MICHIGAN.COM	SUBSCRIPTION	22.00
DTE ENERGY	TOWNSHIP ELECTRICITY	302.16
MARCOTTE DISPOSAL	REFUSE	1267.66
J&J LAWN	SNOW PLOWING/SALTING	385.00
POSTILL ELECTRIC	TOWNSHIP MAINTENANCE	256.45
PEST CORP	PEST CONTROL	33.00
ZIMMER'S SALES	MAINTENANCE ON SNOWBLOWER	142.32
	<b>TOTAL GENERAL FUND</b>	<b>3,599.59</b>

**SEWER FUND**

CHOPP DONALD	TRANSPORTATION	98.62
CHOPP JONATHAN	TRANSPORTATION	93.44
PAYMENT TO GENERAL FUND		4,000.00
DTE ENERGY	PUMP STATION ELECTRICITY	474.45
DELUDE CONSTRUCTION INC.	PUMP STATION MAINTENANCE	1,100.00
CHOPP DONALD	DPW SERVICES	150.00
CHOPP JONATHAN	DPW SERVICES	325.00
	<b>TOTAL SEWER FUND</b>	<b>6,241.51</b>

**WATER FUND**

CHOPP DONALD	TRANSPORTATION	98.61
CHOPP JONATHAN	TRANSPORTATION	93.44
CHOPP DONALD	DPW SERVICES	150.00
DTE ENERGY	WATER METER ELECTRICITY	108.42

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PAYMENT TO GENERAL FUND		7,000.00
DELUDE CONSTRUCTION INC.	RAISED METER PIT	850.00
CHOPP DONALD	DPW SERVICES	525.00
CHOPP JONATHAN	DPW SERVICES	525.00
CITY OF ST. CLAIR	WATER PURCHASE	<u>15,673.98</u>
	<b>WATER FUND</b>	<b>25,024.45</b>
 <b>MANUAL CHECKS</b>		
A. KOON	HALL DEPOSIT REFUND	50.00
VERIZON WIRELESS	PHONE	260.84
E. PEACE	HALL RENTAL REFUND	100.00
DTE ENERGY	STREETLIGHTS	2,250.16
MI RURAL WATER ASSOC.	CONFERENCE	<u>250.00</u>
	<b>TOTAL MANUAL CHECKS</b>	<b>2,911.00</b>
	<b>TOTAL ALL FUNDS</b>	<b><u>37,776.55</u></b>

Roll Call: Yes-Trustees Boulier, Boeck, Hanrahan & Mollan, Treasurer Miskus, Clerk Skonieczny & Supervisor Mahaffy. Motion Carried.

3. Moved by Clerk Skonieczny. Seconded by Trustee Mollan to appoint David Patterson the Zoning Enforcement Officer and pay him \$25.00 hourly, minimum 4 hours. He will respond to calls and bring the findings to the Township Board. Roll Call: Yes-Trustees Boulier, Boeck, Hanrahan & Mollan, Treasurer Miskus, Clerk Skonieczny & Supervisor Mahaffy. Motion Carried.

4. Moved by Clerk Skonieczny. Seconded by Trustee Boulier to adopt Ordinance 189.

An Ordinance, granting to SEMCO Energy Gas Company, a division of SEMCO Energy, Inc., a Michigan corporation, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to conduct a local gas business in the Township of St. Clair, located in St. Clair County, Michigan, for a period of thirty years.

THE TOWNSHIP OF ST. CLAIR ORDAINS:

**Section 1. GRANT OF FRANCHISE.** The Township of St. Clair, located in St. Clair County, Michigan (the "Township"), hereby grants to SEMCO Energy Gas Company, a division of SEMCO Energy, Inc., a Michigan corporation, its successors and assigns, (the "Grantee") the right, power and authority to construct, lay, operate, maintain and replace in the public streets, highways, alleys and other public places in the Township of St. Clair, Michigan, all needful and proper gas pipes, mains, conductors, service pipes and other apparatus and facilities requisite for the manufacture, transmission and distribution of gas for all purposes to the Township of St. Clair, and the inhabitants thereof, and for conducting gas elsewhere to supply neighboring cities, villages and other territories supplied with gas by said Grantee, for a period of thirty years.

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**Section 2. CONSIDERATION.** In consideration of the rights, power and authority hereby granted, Grantee shall faithfully perform all things required by the terms hereof.

**Section 3. CONDITIONS.** No highway, street, alley, bridge or other public place used by Grantee shall be obstructed longer than necessary during the work of construction or repair, and shall be restored to as good order and condition as when Grantee commenced the work. All of Grantee's pipes and mains shall be so placed in the highways and other public places as not to unnecessarily interfere with the use thereof for highway purposes. Grantee will use its best efforts to not unreasonably interfere with or disrupt any public utility apparatus or facilities operated by the Township and, to the extent Grantee interferes with or disrupts any such public utility apparatus or facilities, Grantee shall restore such apparatus or facilities to as good order and condition as when Grantee commenced work.

**Section 4. HOLD HARMLESS.** Grantee shall at all times keep and save the Township free and harmless from all loss, costs and expense to which it may be subject by reason of the Grantee's negligent construction and negligent maintenance of the structures and equipment hereby authorized. If any action is commenced against the Township resulting from Grantee's negligent construction and maintenance, Grantee shall, upon notice, defend the Township and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

**Section 5. FRANCHISE NOT EXCLUSIVE.** The rights, power and authority herein granted, are not exclusive. Either manufactured or natural gas may be furnished hereunder.

**Section 6. RATES.** Grantee shall charge for gas furnished the rates, charges and special taxes as approved from time to time by the Michigan Public Service Commission, or its successors having authority and jurisdiction to fix and regulate gas rates and charges, or as otherwise permitted or required by applicable law or tariff, for the term of this franchise. Such rates shall be subject to Commission review and charge at any time upon petition therefore being made by either said Township, acting by its Township Board, or by said Grantee.

**Section 7. REVOCATION.** The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

**Section 8. MICHIGAN PUBLIC SERVICE COMMISSION JURISDICTION.** Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to gas service in said township and shall provide service in accordance with the terms and conditions set forth in its applicable tariff as approved from time to time by the Michigan Public Service Commission or its successors.

**Section 9. SUCCESSORS AND ASSIGNS.** The words "SEMCO Energy Gas Company" and "SEMCO Energy, Inc.," wherever used herein, are intended and shall be held and construed to mean and include SEMCO Energy Gas Company and its parent, subsidiaries, successors, affiliates, and assigns, whether so expressed or not. The work "Grantee," wherever used herein, is intended and shall be held and construed to mean and include SEMCO Energy Gas Company, SEMCO Energy, Inc., and the successors and assigns of each, whether so

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expressed or not. Grantee may assign the rights and obligation under this agreement as long as the Grantee provides written notice to the Township of any such assignment.

**Section 10. FORCE MAJEURE.** The Grantee shall not be liable for failure to furnish service as herein provided, or for any breach of the Grantee's obligations hereunder, if such

failure or breach is caused by acts of God, labor troubles, riot, or any other causes or contingencies not reasonably within the control of the Grantee.

Roll Call: Yes-Trustees Boulier, Boeck, Mollan, Treasurer Miskus, Clerk Skonieczny & Supervisor Mahaffy. No-Trustee Hanrahan. Motion Carried.

5. Township Board discussed drain funds and match money. No action taken.

6. Moved by Trustee Boeck. Seconded by Trustee Mollan to apply for a grant through the St. Clair County Road Commission to replace the Frith Road Bridge over the Holland drain. Roll Call: Yes-Trustees Boulier, Boeck, Hanrahan & Mollan, Treasurer Miskus, Clerk Skonieczny & Supervisor Mahaffy. Motion Carried.

7. Township Board discussed improvements and rental of the Township Park on Neuman Road. More information to be obtained and placed on the next agenda.

8. Comments from the floor:

a) D. Miller: new website looks great. Emergency information very clear.

9. Moved by Treasurer Miskus. Seconded by Trustee Mollan to adjourn. Motion adjourned at 7:48 p.m.

Joyce A. Skonieczny  
Clerk