

**CALL TO ORDER:** 7 p.m. by Supervisor Paterek

**PLEDGE OF ALLEGIANCE:**

**MEMBERS PRESENT:** Kanehl, Finlay, Paterek, Swiacki, Smith

**MEMBER ABSENT:** None

**MINUTES:**

Motion by Finlay seconded by Swiacki to approve regular meeting minutes of September 13 as presented.

**Motion CARRIED**

Motion by Paterek seconded by Swiacki to approve election commission meeting minutes of October 3, as presented.

**Motion CARRIED**

**SET/AMEND AGENDA:** Motion by Swiacki seconded by Finlay to approve agenda as amended:

Unfinished business, add: e) Kerner – McPhall, f) Kennel. Under New business add: e) Armada Ridge – Quiet Title, f) Fire Dept.: Resignation – Robert Abraham Jr., g) Fire Dept.: Full-time – Michael Panczyk, h) Fire Dept.: SAFER – Danielle Doering.

**Motion CARRIED**

**BILLS:** Motion by Swiacki seconded by Smith to approve bills as amended:

Previously paid bills: \$ 8,256.99 Fire & \$15,935.56 Township

Payroll: \$81,891.31 Fire & \$ 29,328.02 Township

Open Invoices: \$ 10,975.49 Fire & \$ Township (-\$140 for duplicate attorney billing) \$12,632.74 (amended amt.)

Tax Disbursements: \$ 639,115.29

Trust & Agency: \$ 4,775.00

Total of \$ 802,291.40

**Ayes:** Kanehl, Smith, Swiacki, Paterek, Finlay

**Motion CARRIED**

**PUBLIC COMMENTS – Agenda Items: ONLY** - None

**CORRESPONDENCE/INFORMATION:**

**Fire Department:** Staffing issues: Trustee Kanehl was very concerned regarding an email received from Fire Marshall Kevin Kanehl, which indicated that no one shows for backup when the tones go off so they are shorthanded. Chief indicated that he has limited ability to have people come back if they are currently at their regular job. This is why chief wants to put together an advisory board so issues can be brought forward to the community to make decisions about our fire department's future.

**Fire Department – Open House:** Scheduled for Saturday, October 14 from 10 a.m. to 4:00 p.m., 23175 Armada Center Rd.

**Fire Department – Recognition:** Chief Reynolds was recognized in obtaining Chief Fire Officer Designation by the vote of his peers for his professional credibility. He is one out of fifteen in Michigan to have these credentials. Congratulations to Chief Reynolds for this outstanding achievement!

**REPORTS:**

- |  |                 |
|--|-----------------|
| ◦ Fire Department                      | Chief Reynolds  |
| ◦ Code Official                        | Mike Klein      |
| ◦ Planning Commission                  | No report       |
| ◦ Building Department                  | Christine White |
| ◦ Macomb Agricultural P.D.R.           | No report       |
| ◦ Parks & Recreation                   | Gary Goedel     |
| ◦ Water/Sewer Update                   | John Paterek    |
| ◦ Macomb Orchard Trail                 | No report       |
| ◦ Senior Center                        | No report       |
| ◦ Administrative Policies & Procedures | Peg Smith       |
| ◦ Ingress & Egress M53/33 Mile Rd.     | John Paterek    |
| ◦ Treasurer                            | Peg Smith       |

Motion by Swiacki seconded by Finlay to receive and file reports as presented.

**Motion CARRIED**

**UNFINISHED BUSINESS:**

**Skate Park (overage):** Clerk Swiacki pointed out the non-budgeted items for \$4,050.96 for the skate park were: Attorney fees \$560, liability insurance \$452, Soil and erosion permit and renewal total \$495, building permit \$650 and 21AA stone \$1,893.96. Motion by Swiacki Seconded by Paterek to amend budget by moving \$4,051 from line item #101.441.980.138 Waste Water Treatment Plant to line item number #101.000.980.137 Skate Park Match.

**Ayes:** Paterek, Kanehl, Finlay, Swiacki, Smith

**Motion CARRIED**

Motion by Swiacki seconded by Paterek to pay Spohn Ranch the remaining balance of \$4050.96 due.

**Ayes:** Paterek, Kanehl, Finlay, Swiacki, Smith

**Motion CARRIED**

**Park – Field Permit & Use Agreement:** Motion by Swiacki seconded by Finlay to approve Field Permit and Use Agreement as presented.

**Ayes:** Smith, Kanehl, Paterek, Swiacki, Finlay

**Motion CARRIED**

**Resolution – Financial Accounts at Lakestone Bank & Trust:** Motion by Swiacki seconded by Paterek to approve Resolution #R2017-26 Authorizing Signatories on Financial Accounts at Lakestone Bank and Trust as amended.

**Ayes:** Swiacki, Kanehl, Smith, Paterek **Nays:** Finlay

**Motion CARRIED**

**Fire Dept.: Advisory Committee:**

Motion by Paterek seconded by Swiacki to establish the following guidelines for an Advisory Board:

1. Number of committee members to be seven. Two of which shall be Paterek Supervisor and Trustee Finlay.
2. Meetings a minimum of one per month.
3. No compensation.
4. Committee is to comply with the Open Meetings Act (OMA).
5. Dissolution of committee at will.

**Motion CARRIED**

**Kerner – McPhall: State of Michigan Admin. Hearing System:** Motion by Swiacki seconded by Paterek to allow Attorney Christine Anderson to contact Christopher Conn from the Dept. of Environmental Quality Water Resources Division (WRD) as recommended by the Tribunal work with them in an attempt to address the concerns with Mr. Kerner's permit immediately. Finlay amended that Trustee Finlay and Trustee Kanehl would attend meeting as well.

**Ayes:** Kanehl, Smith, Finlay, Paterek, Swiacki

**Motion CARRIED**

Township Engineer Dave Richmond from Spalding DeDecker walked Coon Creek according to the board's direction. He found other issues besides sediment. Deadfall debris in the creek impeding the stream. Sediment on the North side of the bridge was between 6" and 1'. He indicated that his report would give the DEQ cause or concern to investigate the situation further. Motion by Finlay seconded by Kanehl to have Engineer Dave Richmond attend the DEQ meeting in Lansing as well.

**Motion CARRIED**

Trustee Finlay contacted Stephen Mahoney from the Michigan Dept. of Agricultural and Rural Development seeking information as to whether or not Mr. Kerner is protected under the "Right to Farm Act". Trustee Finlay read e-mail received from Mr. Mahoney indicating that Mr. Kerner has not contacted the Michigan Dept. of Agriculture and Rural Development to request a pro-active Right to Farm inspection. If the land is not in crop production then there are no GAAMPs to conform thus the Right to Farm Act does not apply. It is also MDARD's opinion that local units of government can enforce their local ordinances on areas that do not pertain the Michigan Right to Farm Act (PA93 of 1981, as amended) or the GAAMPs developed under the Act.

**Kennel:** Attorney Christine Anderson addressed the board indicating that an inspection was completed on September 22. There were no building violations sited on the accessory building where the dogs were contained. Four adult dogs were on the premises and eight puppies. She has ordered title work on the property, which should be completed within 7-10 days. There may be a building code violation on an additional accessory building. Attorney will check with the building department. We will seek injunctive relieve from circuit court. We will bring all claims at once to the court, as you cannot go back and file later. A show cause hearing would be in approximate 45 days.

**NEW BUSINESS:**

**Payroll – Direct Deposit:** Motion by Swiacki seconded by Smith to allow enrollment for direct deposit for all township employees.

**Ayes:** Kanehl, Smith, Swiacki, Finlay, Paterek

**Motion CARRIED**

**Armada Ridge (lease for farming):** Land Lease for Ron Gaier Farms expires on December 31, 2017. Motion by Finlay seconded by Paterek to postpone until next month's meeting.

**Motion CARRIED**

Clerk Swiacki will contact Assessor Tom Schlichting to see what the property is currently worth. Trustee Finlay wants to look into utilizing the property. It was discussed that we look into putting a driveway with parking at the back of the property for access to the trail as well as restrooms.

**Transfer site director:** No applications received:

Motion by Swiacki seconded by Finlay to direct Supervisor Paterek to manage until the position is filled and pay according to current schedule.

**Ayes:** Smith, Kanehl, Finlay, Swiacki

**Nays:** Paterek

**Motion CARRIED**

**Fire Dept.: FY17/18 budget amendment(s):** Motion by Swiacki seconded by Paterek to approve budget amendments as presented:

Line item #206.000.694.001 – Grants- Fire Other (Income) Previous amount \$0.00 new amount \$140,000.00

Line item #206.336.696.00 – Grant (Expenditures) Previous amount \$0.00 new amount \$147,000.00

**Ayes:** Smith, Finlay, Kanehl, Swiacki, Paterek

**Armada Ridge – Quiet Title:** Motion by Swiacki seconded by Kanehl to file circuit court action to obtain a Quiet Title for 19501 Armada Ridge parcel immediately.

**Ayes:** Finlay, Swiacki, Smith, Kanehl, Paterek

**Motion CARRIED**

**Fire Dept.: Resignation – Robert Abraham Jr.:** Motion by Swiacki seconded by Smith to accept Robert Abraham’s resignation with regrets.

**Ayes:** Finlay, Smith, Swiacki, Paterek, Kanehl

**Motion CARRIED**

**Fire Dept.: Full-time – Michael Panczyk:** Motion by Paterek seconded by Swiacki to move Michael Panczyk from SAFER Grant to budgeted full-time position effective October 19, 2017.

**Ayes:** Swiacki, Smith, Kanehl, Finlay, Paterek

**Motion CARRIED**

**Fire Dept.: SAFER – Danielle Doering:** Motion by Paterek seconded by Swiacki to hire Danielle Doering as a Firefighter/Paramedic in the SAFER Grant position effective October 19, 2017

**Ayes:** Smith, Paterek, Kanehl, Finlay, Swiacki

**Motion CARRIED**

**PUBLIC COMMENT:** Monica Job

**ADJOURNMENT:** Motion by Paterek seconded by Swiacki to adjourn the meeting at 9:39 p.m.

**Motion CARRIED**

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Mary K. Swiacki, CMMC  
Armada Township Clerk

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John W. Paterek  
Supervisor

Published: 10.25.17