

RAY TOWNSHIP TOWNSHIP BOARD OF TRUSTEES
SPECIAL MEETING MINUTES
WEDNESDAY, DECEMBER 13, 2017 AT 10:00 A.M.
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Location: Ray Township Hall
64255 Wolcott. Ray, MI 48096

Present: Joe Jarzyna, Supervisor
Lori Lascoe, Clerk
Doug Stier, Treasurer
Charlie Bohm, Trustee
Betty Grader, Trustee

Also Present: Lyle Winn, Township Engineer
Bob Seibert, Township Attorney
Jack Dailey, Township Planning Consultant
Jerry Schmeiser, Township Planning Consultant
(Attendance record on file with the Clerk)

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE AND ROLL CALL.
Supervisor Jarzyna called the meeting to order at 10:00 a.m. The Pledge of Allegiance was recited. All members were present.
2. APPROVAL OF AGENDA
MOTION by Stier supported by Grader to approve the agenda as presented.
MOTION carried.
3. PUBLIC COMMENTS: Supervisor Jarzyna asked anyone that would like to speak to come to the podium and state their name and address.

No public comments at this time.
4. Presentation by Anderson Eckstein & Westrick (AEW) and the Township Attorney for the Proposed Sewer pursuant to the consent judgment for the Four-Star Development at 26 Mile Road & Hayes Road, to alleviate the batch plant, i.e., waste water treatment plant.

Lyle Winn, Township Engineer stated today's meeting is being held to see if Ray Township is interested in pursuing an agreement with Shelby Township to connect to the public sewer. Or does Ray Township want Four Star Development to build the approved wastewater treatment plant to service the Townsend Development? He explained that Shelby Township has available 2 ½ CFS that could service the Townsend Development and the hamlet of Davis. Ray Township would have to commit to Shelby Township to increase the size of the pipe from 15" to 18" along Hayes Road, between 25 Mile Road and 25 ½ Mile Road, south of the Middle Branch of the Clinton River. The cost for Ray Township would be \$150,000.00 for the pipe to be increased. Four Star Development would be required to pay \$1,840,000.00 for the connection of their property to the gravity sewer pipe. Also, part of the agreement with Shelby Township, which could be 10-15 years down the road, when Ray Township nears the 2 ½ CFS capacity usage, that the construction and installation of the gravity relief pipe along Schoenherr, from 23 Mile to 22 Mile would be necessary and Ray Township would be responsible for the majority of the cost of approximately \$2,820,000.00. This would be constructed from monies escrowed from the tap fees paid to Ray Township to connect into the public sewer along Hayes.

Supervisor Jarzyna advised that the \$2,820,000.00 would be paid for by the homes using the sewer.

Mr. Seibert, Township Attorney stated the user fees cannot be revenue raising and that a financial expert could project and defend the user numbers.

Mr. Winn explained earlier discussion between Macomb County Public Works, Ray, Shelby and Washington Township. Washington Township has some capacity but would need the capacity back at some point in time, so Washington has been taken out of the equation. He determined Ray would need about 2 ½ CFS to service the Townsend development and the designated areas along 26 Mile Road and north along Romeo Plank to 27 Mile Road. He stated he is familiar with Shelby Townships system and has determined they have the capacity to serve Ray Township. The Shelby Township Water/Sewer Superintendent has informally advised they agree with his calculations and the capacity would be available with the restrictions and requirements to hook into the system and for future builds when Ray Township would near be reaching the maximum capacity.

Mr. Winn stated Four Star Development is ready for construction to begin in 2019 with utilities including the approved wastewater treatment plant. The approximate time of build out for the development is five years for the site to be completed. The costs to operate and maintain the wastewater treatment plant would be bore by Ray Township if Four Star abandon the project. Further stated Mr. Mocerri would like to know which direction Ray Township would like him to pursue.

Mr. Winn stated the Board has heard the options for an Inter-Government Agreement with Shelby Township for the 2 ½ CFS and the option for the Wastewater Treatment Plant to be constructed by Four Star. At his time, he and Mr. Seibert would need direction from the Board on how they would like to proceed.

Mr. Bohm stated that prior to any commitments moving forward he would like to have something in writing from Four Star Development relating to their intentions of paying associated costs of connection into Shelby Township's sewer system.

5. PUBLIC COMMENTS: Supervisor Jarzyna asked anyone that would like to speak to come to the podium and state their name and address.

Bill Kehrer, 20015 30 Mile Road, asked about 26 Mile Rd, Endeavour School.

Mr. Winn advised they have a lagoon system. Batch plants require more hard structure with a system of filters that treat the waste prior to final discharge into the Middle Branch of the Clinton River.

Tom Penzien, 20750 28 Mile, stated there are always pluses and minuses with all decisions. The board should put pluses and minuses on paper and determine the best options for the Township.

Bohm stated 40 years ago was determined for Ray Township to stay rural. Mr. Penzien asked if rural Ray Township can be sustained 15 years from now?

Mr. Jarzyna, stated the Master Plan indicates development along 26 Mile Road. The Township Board has to make a decision between a Wastewater treatment plant or public sewer. He stated the need to get a pipe to Davis, there are many flooding issues. Lots are not large enough for septic

fields to be replaced. When the flooding starts polluting the wells it becomes a health department issue.

Mr. Dailey, Planning Consultant stated you do not have to have public sewer for the entire township, but certain areas have to have sewer (per the Ray Township long term plan approved May 11, 2010 Ray Township Planning Commission endorsed by the Ray Township Board of Trustees June 1, 2010), this is the Boards decision.

Mr. Stephen Downing, Macomb County Public Works, stated Shelby Township has an agreement with the county. Ray Township would not need to enter into an agreement with County to hook into Shelby Townships system. The County is in process of New Master Plan and it will be two years before that plan is completed. There is a new administration and they encourage intergovernmental agreements.

Bob Seibert explained that all agreements reached between Shelby and Ray would be sent to the county as needed.

6. ADJOURNMENT
MOTION by Stier supported by Bohm to adjourn the meeting at 11:28 a.m.
MOTION carried.

Joe Jarzyna, Supervisor

Lori R. Lascoe, Clerk

Date

Lisa Hall, Recording Secretary