

FRENCHTOWN CHARTER TOWNSHIP RESORT DISTRICT AUTHORITY
Wednesday, September 11, 2024

I. Chairperson Molly Luempert-Coy called the meeting to order with the Pledge of Allegiance to the Flag of the United States of America at 3:01 p.m.

II. Roll call.

Present were: Molly Luempert-Coy, Chairperson; Chris Collins, Board Member; Donald Rushlow-Secretary; Gary Klemz-Vice Chairperson; Brian Dotson- Treasurer. Also present were Larry Smith, Director; Janae Jones, Administrative Assistant; Kerry Bondy-Legal Advisor; Brad Shelle, Engineer, Mannik & Smith Group; Cody Jones, Mannik & Smith Group; Troy Goodnough, Monroe County Sheriff; Dave Uhl, Frenchtown Charter Township; Tom Fox, Tech Experts. There were two community residents present.

III. **Approval of Agenda:**

Motion was made to approve agenda by Mr. Klemz and supported by Mr. Collins.
Motion carried: 5-0 (voice vote)

IV. **Minutes:**

Approval of July 10, 2024 Minutes

Motion made to accept the above July minutes as distributed by Mr. Klemz and supported by Mr. Dotson.
Motion carried: 5-0 (voice vote)

V. **Public Participation:** Pat Szymanski of Brest Bay Grove stated the backsides of the clay berms have not been mowed yet, noting they have done nothing with the berms along Elm St. or Sycamore, which have not been mowed in years. Mr. Szymanski did say that they have recently mowed and cleaned in the DNR area along Brest Bay Grove, and it is looking very nice. Several board members stated that the Department of Public Works has obtained all of their necessary equipment to complete these mowing's, and they will follow up with the DPW.

VI. **Correspondence:** None

VII. **Reports:**

Director's Report:

Streetlight LED Conversion

The conversion of the district streetlights to LED was completed on August 21, 2024, making the project eligible for the rebate (estimate \$7,455.00) plus the 10% bonus (\$745.50). Completion of the project now allows the district to capture the \$23,321.45 estimated annual savings after conversion to LED lighting. Per FCT treasurer, the total rebate of \$9,061.80 was received and is in the process of being transferred to the RDA. The total rebate was more that anticipated.

Lake Erie Level

The Lake Erie level has been holding steady for several months at a little under 1 foot above the long term average. The USACE continues to predict a slow retreat to the long term average.

North Dixie/Detroit Beach Traffic Signal

A maintenance agreement for the existing traffic signal was executed on March 14, 2012 between the RDA and the Monroe County Road Commission. With construction of the Frenchtown Municipal building and Community Center, it was determined for the safety of the motoring public, and due to the additional traffic generated by the new facility, a new four way traffic signal would replace the current three way traffic signal at the intersection. Frenchtown Charter Township has agreed to assume all financial responsibility, removing the RDA as a party to the agreement. The new signal is planned to be installed by April 1, 2025.

Engineering Report (verbal)

The 2024 pavement repair project has been completed by K&B Asphalt. Engineering followed the progress daily, and made sure all work was completed, and all work looks to be good. Mr. Smith and Mr. Shelle met with a few

residents with seawall concerns and gave them recommendations and contractor info. The residents will follow up with engineering before they proceed with any repairs so engineering can confirm the integrity.

Monroe County Sheriff Contract Activity Report for 6/1/2024-6/30/2024, 7/1/2024-7/31/2024 and 8/1/2024-8/31/2024

Sheriff Goodnough provided an update on the ongoing battle between Detroit Beach and Frenchtown Harbor residents. They have identified the property owners and the property lines and flew a drone over the area. The Prosecutor's office initially thought this was a civil matter, but after Sheriff Goodnough met with the prosecutor and showed the evidence of the offender continually trespassing, the Prosecutor will charge the offender, hopefully putting an end to it.

The County of Monroe has ordered an incident command unit. It is a command vehicle that will be available during weather emergencies, and for any community tragedies. They expect delivery December 2025. They will also use it to go into communities to provide mobile vaccinations as needed as well.

Deputy Guthrie, the current deputy that is assigned to the RDA bid the position to stay in the RDA. They recently did a ride along with her, as they do for all new deputies around their one year anniversary to see how they are progressing through their training, and they had nothing but good to say about her. She knew the names of residents, and they knew her by name. They have never seen interaction like this with a Deputy within the RDA, and the RDA is very fortunate to have her. This is community policing at its best!

Sheriff Goodnough also shared a snapshot of mobile speed trailer reports that have been within the RDA. They are moved once a week within the Township. He stated these reports are a good indication that a substantial majority of the drivers are adhering to the speed limits, and there are very few that don't. The traffic Lieutenant analyzes the reports weekly, and they recognize the patterns and will send a deputy to the area during the necessary times indicated on the reports.

Motion was made to place the Monroe County Sheriff Contract Activity Report for 6/1/2024-6/30/2024, 7/1/2024-7/31/2024 and 8/1/2024-8/31/2024 on file by Mr. Rushlow and supported by Mr. Dotson, motion passed 5-0 (voice vote).

VIII. Old Business: None

IX. New Business:

Computer Upgrade Memo 12-24

Tom Fox, President of Tech Experts, and Township consultant, presented proposal for upgraded computer equipment for the RDA. Mr. Fox stated the current desktop computer at the administrative assistant desk is 8-10 years old, it is a low level processor with only 6 gigs of ram and is indescribably slow. The Director is using a similar, outdated personal laptop, as he was not provided an office computer. The township purchased a batch of computers, and they have some new computers sitting in their inventory, suggesting using 2 of those computers and the RDA reimburse the Township for them. The current RDA system does not have a firewall in place, and he suggests having a firewall installed, also there is no backup system in place. In the meantime, they installed backup software while the upgrades are pending. They will also be upgrading the email systems to the same as the Township, making emails archived and indexed. Additionally, they would like to set the RDA up on the same telephone system as the Township with the migration to the new municipal building. This would be a more modern system, and calls between the Township and RDA would be intersystem calls. The estimated total cost is approximately \$4300 plus an approximate additional \$2000 transfer for the computers between the Township and RDA for the hardware and setup. Mr. Fox stated that they suggest upgrading the computers ASAP and not waiting until the move to the new building, as the current RDA computer is very problematic and slow. Director Smith is very happy that the Township has provided their IT service to the RDA, and feels it is very critical that the RDA be on the same service as the Township. Ms. Luempert-Coy questioned how often the Township cycles in new computers? Mr. Fox said they plan to cycle in new equipment every 3-4 years. Mr. Dotson asked for explanation on the yearly billing? Mr. Fox said the firewall is approximately \$850 per year, Office 365 is approximately \$360 a year currently, and the system backup is approximately \$500 per year. Director Smith said if the board approves, these will be added to the RDA yearly budget.

Motion was made to approve the computer upgrades at a cost not to exceed \$7000 and to amend and include the budget transfer of \$7000 to account 265 Building & Grounds 980 Furniture and Equipment from Excess of Revenue by

Mr. Klemz and supported by Mr. Dotson. Motion carried: 5-0 (Mr. Collins-yes; Mr. Klemz-yes; Mr. Dotson-yes; Mr. Rushlow-yes; Ms. Luempert-Coy-yes.)

Frenchtown Municipal Center RDA Furniture Memo 13-24

The furniture for the new building is consistent in design throughout the building and is being coordinated by the Township. Mr. Uhl shared a presentation of the design and furnishings for the RDA portion of the building with the board. The Township has previously worked with the office supply company, Wolverine, and have been very pleased with them. They decided to move forward with the quote from Wolverine. The office equipment for both the RDA and Sherriff's side will be coordinated. The Township board approved the furniture bid and plan at its August 20, 2024 meeting. The Township will pay the vendor and the RDA will reimburse the Township.

Motion was to made to approve reimbursement to the Township for the furniture in the amount of \$6580.02 to be paid from 265 Building & Grounds 956 Miscellaneous (Relocation) by Mr. Dotson and supported by Mr. Klemz. Motion carried: 5-0 (Mr. Collins-yes; Ms. Luempert-Coy-yes; Mr. Rushlow-yes; Mr. Dotson-yes; Mr. Klemz-yes; Mr. Collins-yes.)

Seawall Subcommittee Meeting with EGLE

Cody Jones from Mannik and Smith Group stated the Seawall Subcommittee met with the local EGLE agent, as well as four other EGLE employees. There were 4 main points they were focused on from the permit application that they are trying to work through.

- 1) Landowner Authorization-EGLE is now requiring the individual landowners provide a letter of authorization, giving MSG their approval to move forward with the permitting and performing the seawall work on their behalf. At this time, we are still waiting for the verbiage from EGLE that they expect to be on the letters of authorization. EGLE is now telling us they will not even review the project until this step is completed, so this is a priority.
- 2) In past projects, the permit has allowed the contractor to move/level/access 40 feet from an existing seawall into the lake for a corridor that can be used for the construction. The contractor normally does not use that much of the area to in setting up coffer dam to hold back the water for their workable area. EGLE wants this eliminated altogether, and work from land or work from a barge. Mr. Jones, Director Smith and Mr. Dotson met with EGLE agents previously, and showed them why working from a barge isn't an option and how close the houses are to the water. They have since seemed to back off this request. The Seawall Subcommittee is planning on reducing the request to a 25 feet corridor from the seawall to work from.
- 3) EGLE started putting a large emphasis on mussel surveys anytime a stream or lake area is disturbed. There are documented occurrences of state-listed and federally-listed mussels in the seawall project vicinity, therefore a mussel survey will now be required for this project. If mussels are found, they will need to be temporarily relocated until the project is completed. There are 3 steps to this process. Step 1 is looking for evidence of muscels. Step 2 would be to relocate the mussels if they are found. And step 3 is to return them to original locations. MSG has gotten pricing from 3 companies who do this type of work with mussels, as they are looking to move forward with step one by October 15th. All 3 companies would charge \$10,000 or less for step 1. Niswinder is who MSG is recommending working with, as MSG has worked with them in the past, they are familiar with the area, and their step one estimate is significantly lower than the other 2 companies. MSG is not anticipating finding these protected mussels in the construction area and are hopeful that there will only be a charge for step one, which is checking the work areas for these protected mussels.
- 4) Toestone/riprap is put at the base of most seawalls, as it is a structural and ecological component. The past seawalls projects done by the RDA did not include toestone/riprap. EGLE is asking if toestone can be used in the upcoming seawall project, and gave suggestions for other options. MSG does not think any of the suggestions will be efficient or economical. The use of toestone/riprap will be an issue for a lot of the homeowners, especially those with a natural sandy beach. MSG will communicate this to EGLE, reinforcing the fact that toestone/riprap is not included in the proposed plans due to the robustness of the design of the soldier pile and precast panel construction method, and additionally will alter the litoral drift. Toestone/riprap is not needed to prevent future scour because the precast panels are installed into the existing clay soil layer or toed into rock as well as backfill behind the wall being a flowable fill concrete that will prevent material being pulled from the landward side of the seawall to the water ward side in the event of extreme scour.

Motion was made to move forward upon approval of the seawall committee with the EGLE required testing and measures for the protected mussels not to exceed \$10,000 by Mr. Dotson and supported by Mr. Rushlow. Motion carried: 5-0 (Mr. Dotson-yes; Mr. Klemz-yes; Ms. Luempert-Coy-yes; Mr. Collins-yes; Mr. Rushlow-yes).

2025 budget 1st Draft Memo 14-24

The first draft of the proposed 2025 budget was presented to the board for review and comments. Changes from the initially approved 2024 budget include:

- Revenue 403 Property Tax-this was updated to reflect the estimate provided by the assessor based on total taxable value.
- 202 Auditor 801 Audit Service-the budgeted amount changed to reflect the contracted cost for 2025.
- 265 Building & Grounds, 902 Utilities- this amount decreased based upon the move to the new municipal building with the utilities being paid by the Township.
- 404 Public Works, 921 Street Lighting-this amount decreased to capture the estimated electricity savings from the LED upgrade program.
- 301 Police Protection, 970 Capital Outlay-this amount decreased based upon the new RDA police vehicle being completely outfitted and in service.

Additionally, the revenue side anticipates a maximum millage rate of 3 mills, which will require a public hearing be held and can be scheduled for the next board meeting on October 9, 2024.

Motion was made to add the public hearing to the October 9, 2024 RDA board meeting by Mr. Dotson and supported by Mr. Rushlow. Motion carried: 5-0 (Mr. Rushlow-yes; Ms. Luempert-Coy-yes; Mr. Collins-yes; Mr. Klemz-yes; Mr. Dotson-yes.)

2024 Budget Amendments Memo 15-24

In order to maintain a balanced budget for 2024, and provide funds for the remainder of the year, the Director requests the excess funds in the snow removal budget of \$40,909 be transferred to the tree removal budget, making the revised 2024 tree removal budgeted amount \$100,909.

Motion was made to approve transferring of the excess \$40,909 in 946 Snow Removal to 945 Tree Removal and Trimming by Mr. Klemz and supported by Mr. Collins. Motion carried: 5-0 (Mr. Collins-yes; Mr. Klemz-yes; Mr. Dotson-yes; Mr. Rushlow-yes; Ms. Luempert-Coy-yes.)

Automated Clearing House (ACH) Policy Memo 16-24

Townships are required to have an ACH policy in place and a resolution authorizing use of ACH, and counsel advises that this requirement should apply to the RDA as well. The State of Michigan wishes to provide the Local Community Stabilization Authority (LCSA) payments electronically, allowing the RDA funds to be deposited immediately following initiation of LCSA distribution using ACH. This would eliminate delays and potential fraudulent activity associated with physically mailing of the check. Director Smith recommends, upon advice of counsel, that the board adopt the presented ACH policy and Resolution authorizing the use of ACH arrangements.

Motion was made that the Frenchtown Charter Township Resort District Authority Resolution to authorize the use of Automated Clearing House (ACH) arrangements and electronic transactions of funds dated September 11, 2024 and also to include the new ACH policy that was presented be adopted by Mr. Klemz and supported by Mr. Rushlow. Motion carried: 5-0 (Mr. Collins-yes; Mr. Klemz-yes; Mr. Dotson-yes; Mr. Rushlow-yes; Ms. Luempert-Coy-yes.)

Approval of the July 2024 and August 2024 Financial Report, Balance Sheet, Income & Expense Report, and Investment Reports

Motion made to accept the July and August Financial Report, Balance Sheet and Income and Expense Report and place on file by Mr. Dotson and supported by Mr. Collins. Motion carried: 5-0 (Ms. Luempert-Coy, yes; Mr. Rushlow-yes; Mr. Dotson- yes; Mr. Klemz-yes; Mr. Collins- yes).

X. Other Items from Board Members:

Mr. Collins and Mr. Klemz suggested naming/dedicating the new community room in the FCT municipal building to the people who were significant in the RDA's origination. The board agrees this would be a good idea, and supports it being brought up to the township board.

Mr. Smith wanted to thank the board today for their patience with this lengthy meeting, and wanted to acknowledge that he appreciates everyone on the board.

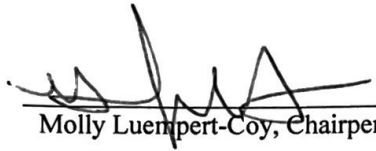
XI. Public Participation: None

XII. Adjournment:


Motion made to adjourn meeting by Mr. Klemz supported by Mr. Collins.

Motion carried: 5-0 (voice vote)

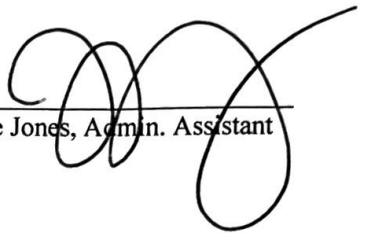
The meeting adjourned at 4:53 p.m.



Molly Luempert-Coy, Chairperson



Donald Rushlow, Secretary



Janae Jones, Admin. Assistant