

Frankenlust Township Board Meeting January 17, 2023 1:00 p.m.

The special meeting of the Township Board was held to discuss the proposed Saginaw Water Contract. It was called to order by Supervisor, Ron Campbell.

Present: Campbell, Ortner, Fisher, Fisher and Britton

Excused Absent: None

Guests Present: Attorney Rich Sheppard, Gary Bartow-Fleis and Vandenbrink

Trustee Britton asked if the bottom line of this meeting is to discuss the fact that the Board either accepts the contract as presented or we fight it in court at the state level. Mr. Sheppard feels that we have a “gun to our head” to sign the contract because we don’t want to pay high fees to hire a lawyer to fight it in court. A new option has been proposed that the Board send a copy of the proposed contract along with a letter to Rep. Tim Beson, Senator Kristin McDonald-Rivet and Congressman Dan Kildee. We would ask that they review the document and take it to the Michigan Attorney General. We would have them ask the Attorney General to review State’s Statute in MCL 123.141 subsection (2) that deals with the sale of water to another municipal corporations. This state: “The price charged by the city to its customers shall be at a rate which is based on the actual cost of service as determined under the utility basis of ratemaking.” The township could contact the other townships in the area that have already signed a contract with Saginaw and asked if they would share the cost of a Detroit lawyer to fight this in court.

Gary Bartow presented a spreadsheet of calculations he prepared, illustrating that the water rates are fair with the proposed contract. If we would connect with Bay County Water and Sewer the long-range costs would be higher. While the contract is skewed, the water rates offered are acceptable. The main issue with the proposed contract is the excessive fees to new residents and business collected by Frankenlust Township and forwarded to the City of Saginaw. It also requires requires city taxes be collected from businesses with 50 or more employees. Again, Frankenlust Township would collect the taxes and remit them to the City of Saginaw. A letter, drafted by Attorney Sheppard, was presented for Board review. This letter, once finalized, will be sent to Rep. Beson, Senator McDonald-Rivet, and Congressman Kildee for the purpose stated above.

Motion by Britton/Begick encouraging the Board review the letter and submit their ideas, suggestions, corrections prior to the final distribution of the letter.

Roll Call Vote:

Campbell	yes
Britton	yes
Ortner	yes
Begick	yes
Fisher	yes

5 ayes. 0 nay. Carried.

Motion by Ortner/Fisher to adjourn. aye, 0 nay. Carried.

Meeting adjourned at 2:25 p.m.

Next Regular Meeting: February 14, 2023 at 4:00 p.m.

Debbie Fisher, Clerk

Ronald Campbell, Supervisor