

**ANN ARBOR CHARTER TOWNSHIP  
BOARD OF TRUSTEES MEETING  
MINUTES OF MEETING  
MONDAY, OCTOBER 15, 2007**

**I. CALL TO ORDER**

The regular monthly meeting of the Ann Arbor Charter Township Board of Trustees was called to order by Supervisor Moran at 7:31 p.m. at the Township Hall, 3792 Pontiac Trail, Ann Arbor, Michigan, 48105.

Present: Supervisor Michael Moran, Clerk Rena Basch, Treasurer Virginia Forshee, Trustees John Allison, Della DiPietro and Richard Dieterle.

Absent: Trustee Randolph Perry

Also Present: Township Attorney Sandra Sorini Elser, Utilities Superintendent Rick Judkins and Comptroller Colleen Coogan.

**II. CITIZEN PARTICIPATION** – No citizen signed up for participation. Moran noted Jon Petz submitted a letter regarding the PDR amendment. Moran said the letter was received too late to be include in the Board’s packets but is currently on the table.

**III. APPROVAL OF MINUTES**

Corrections to the 9/17/07 minutes: On page 2 item M strike “Kathleen Bonds and Mark Man” and insert “Rhonda Gilpin”. On page 3 item B after the fifth sentence insert “Although not the main financial burden there is also the matter of annexation fees. The City resolved to waive their fees for this planning action.” **DiPietro moved approval of the September 17, 2007 minutes as amended. Allison seconded the motion which was adopted unanimously.**

Corrections to the 9/26/07 minutes: On page 1 in the thirteenth line strike “September” and insert “August” and correct the spelling of “tentatively”. On page 5 in the eighth paragraph at the end of the sentence add “long term to have this matter resolved.” Also correct the spelling of “Lynda Thomsen” on page 1 and 3. **DiPietro moved approval of the September 26, 2007 minutes as amended. Basch seconded the motion which was adopted unanimously.**

**Allison moved approval to amend the agenda to advance item V.A. DiPietro seconded the motion which was adopted unanimously.**

**V. A. Third Quarter Financial Statement**

Coogan reported on the budget amendments and the September 30, 2007 financial statements for the third quarter. Coogan explained all of the departments and funds have been revised with new coding. All income and expenses are now tracked by a fund number, department number and account number. Coogan provided the Board with a revised department list. Coogan outlined the amendments and revenue and expenditure report for the general, fire, building department, street lighting, fire capitol improvements, farmland preservation, and utility funds. Coogan noted the budget amendments have been incorporated into the September 30, 2007 revenue and expenditure report. Coogan requested the Board approve the budget amendments for the third quarter. **DiPietro moved approval of the third quarter budget amendments. Allison**

**seconded the motion which was adopted unanimously.** Coogan also requested the Board approve the farmland loan payment to the utility fund of a principal of \$150,000 and interest of \$20,625. Coogan noted she will need one more interest payment before the end of the year. **DiPietro moved approval of the farmland loan payment to the utility fund of principal amount of \$150,000 and interest amount of \$20,625. Basch seconded the motion which was adopted unanimously.**

#### **IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING**

##### **A. Amendment to Purchase of Development Rights Ordinance**

Moran reminded the Board the purpose of the amendment is to make it possible for the Township to retain expertise that may be lost due to annexation to the City and to make it possible to recruit farmers from other townships onto the Farmland and Open Space Preservation Board. Moran drew the Board's attention to the letter submitted by Jon Petz's on behalf of Domino Farms Corporation. Moran agreed with Petz in the sense that it is generally perceived that people who have a financial stake and venture are careful with it. Moran recommended retaining members Oran Hesterman and Raymond Grew who have significant expertise that the Township will not find anywhere else. Moran indicated the amendment has been approved on first reading. **Allison moved approval on second reading the amendment to section 48-27(b) of the purchase of development rights ordinance to permit up to 2 members of the Farmland and Open Space Preservation Board to be non residents of the Township. Dieterle seconded the motion which was adopted unanimously.**

##### **B. Amendment to Soil Erosion and Sedimentation Control Ordinance**

The Township attorney explained she sent out a black line version of the amendment to all Board members showing the additional changes made to the last section on enforcement which were discussed at the September meeting. The most important change is the zoning official can issue a stop work order at the same time a violation notice is issued. All other changes were clarification in the wording. The Township attorney said the amendment has been published and sent to the State which indicated there were no comments from the County. If the amendment is adopted the State will send a letter approving it. DiPietro expressed concern regarding section 401(A) and that the wording "shall" versus "may" does not leave any discretion by the zoning official regarding enforcement. DiPietro said the Township should engage the residents in an educational process appropriately and not be so heavy handed. **DiPietro moved approval on second reading of the amendment to the Soil Erosion and Sedimentation Control ordinance with one change to section 401(A) in the last sentence that the word "may" will replace the word "shall". Allison seconded the motion which was adopted unanimously.**

##### **C. Request for Resolution regarding use of Post Office Boxes**

Moran explained there has been an issue in the Township office that staff has been unable to resolve regarding the use of post office boxes. Moran said the matter has been brought by the Clerk which he supports. Moran said it is a question of whether it is good practice in general to have financial documents sent to a post office box. Recently there have been some problems due to the Treasurer's absence and documents being picked up by individuals who are not bonded. Basch added recently Township residents have mistakenly mailed documents and checks to the post office box.

Forshee explained she has been using a post office box for receipt of payment of taxes for over 20 years and has never had a problem. Forshee said the City of Ann Arbor, Washtenaw County, Village of Barton Hills and many other treasurers use post office boxes for taxes. Forshee said she retrieves the mail every day and deposits payments the same day. Forshee requested the Board to wait until March of 2008 when she turns in tax records to the County before making any changes.

DiPietro expressed concern that the Township has a system where it is dependent on one person which is not good management practice. DiPietro said she is reluctant to continue a process that is so targeted on one person without a requisite backup. Dieterle said it may be more efficient to have all the mail delivered to the Township so there is no time out of the office. **DiPietro moved approval of the resolution prohibiting the use of post office boxes with out Board approval with the transition period beginning with the mailing of the December tax bills. Basch seconded the motion. The motion passed with Forshee opposed.**

#### **D. Ayrshire Special Assessment Districts**

Moran informed the Board after the September 26<sup>th</sup> special meeting the Utilities Committee met and recommended to the Board the term for the Ayrshire public sanitary sewer and water system special assessment district. The Utilities Committee is recommending a 15 year term with an interest rate of 6 percent. The rough calculation for financing the amount of 47,000 is approximately \$497 per month for the first year. Moran said the monthly payment would then decrease every year thereafter.

Allison expressed concern regarding the large amount of money required; the number of residents who are in opposition to it; and the amount in relation to the benefits received. Allison suggested making the district sewer only and to consider a Danford only utilities district. Allison recommended referring his suggestions to the Utilities Committee.

The Board expressed concern that creating a Danford only district would require starting the process all over again. Moran said he is leaning toward a sewer only district option. Moran said the Township has already minimized the district and does not support making it any smaller. Dieterle said it may be cheaper per household to do the whole district with sewer rather than to do only part of it. Basch said she is in favor of the sewer only district from a cost basis point of view. Basch said the sewer assessment is comparable to the cost of a new septic field and cheaper than the cost for an engineered field. DiPietro said the Township has ~~exhausted its resources and~~ expended significant resources on this issue, and she would hate the outcome to be no sewer for anybody other than for a few developers. DiPietro said she would like to capture the developers' contribution to this plan in order to help the homeowners. DiPietro said if it helps to make the district smaller or move forward with a sewer only district as is, she would support it.

**Allison moved approval to ask the Utilities Committee for recommendation on a smaller sewer only district comprised of the Danford Ayrshire Lillie area. DiPietro seconded the motion. The motion passed with Moran and Dieterle opposed.**

**Allison moved approval of the resolution establishing the term for the Ayrshire public water system special assessment district for 15 years with a 6 percent interest rate and to**

set a public hearing for November 28, 2007 at 7:00 p.m. DiPietro seconded the motion. The motion passed with Basch opposed.

Allison moved approval of the resolution establishing the term of the Ayrshire public sanitary sewer special assessment district for 15 years with a 6 percent interest rate and to set a public hearing for November 28, 2007 at 7:00 p.m. DiPietro seconded the motion which was adopted unanimously.

**E. AZ 36-07 Release for Annexation** Request by owners Conrad and Mary Yocum for release for annexation of a .50 acre parcel, 1-09-18- 480-005, 2080 Newport, to connect to City utilities per contract.

**F. AZ 37-07 Release for Annexation** Request by owners Thomas and Karen Zelnik for release for annexation of a .50 acre parcel, 1-09-18- 480-006, 2060 Newport, to connect to City utilities per contract.

**G. AZ 38-07 Release for Annexation** Request by owners John and Amalia Gobettifor release for annexation of a .44 acre parcel, 1-09-17- 425-012, 169 Barton Drive, to connect to City utilities per contract.

**H. AZ 40-07 Release for Annexation** Request by owners Ronald and Mary Bogdasarian for release for annexation of a 1.79 acre parcel, 1-09-18-480-005, 26250 Newport, to connect to City utilities per contract.

**I. AZ 41-07-A Release for Annexation** Request by owner Robert K. Lindsay Trust for release for annexation of a 1.45 acre parcel, 1-09-35-450-016, 1305 Chalmers, to connect to City utilities per contract.

**J. AZ 41-07-B Release for Annexation** Request by owner Robert K. Lindsay Trust for release for annexation of a 0.51 acre parcel, 1-09-35-450-003, vacant lot adjacent to 1305 Chalmers, to connect to City utilities per contract.

**K. AZ 42-07 Release for Annexation** Request by owner Pentti Jokelainen for release for annexation of a 0.50 acre parcel, 1-09-34-180-002, 2930 Heatherway, to connect to City utilities per contract.

**L. AZ 43-07 Release for Annexation** Request by owners Marian P. Gates Trust for release for annexation of a 0.615 acre parcel, 1-09-27-475-003, 442 Huntington Place, to connect to City utilities per contract.

**M. AZ 44-07 Release for Annexation** Request by owners Charlene B. McNamara Amended Trust for release for annexation of a 0.47 acre parcel, 1-09-27-354-005, 225 Pinewood court, to connect to City utilities per contract.

Moran advised the Board there are nine releases for annexation. **DiPietro moved approval for the release of annexation for parcels AZ 36-07, AZ 37-07, AZ 38-07, AZ 40-07, AZ 41-07-A, AZ 41-07-B, AZ 42-07, AZ 43-07 and AZ 44-0. Dieterle seconded the motion which was adopted unanimously.**

## **V. APPOINTMENTS, RESOLUTION, REPORTS, DISCUSSIONS**

### **B. Set Budget Hearing for November**

Moran said the Board needs to set a public hearing in November for the budget. Moran said Coogan will have a completed budget three weeks prior to the date of the November meeting.

**DiPietro moved approval to set a public hearing for the budget for the November 19, 2007 Board meeting. Basch seconded the motion which was adopted unanimously.**

**C. Resolution to Participate in Preserve Washtenaw**

Allison said Preserve Washtenaw is an organization that's been established with all of the entities in the County that currently do land preservation. Allison said it acts as a coordinating body and trades best practices and has been approved by County Parks, Washtenaw Land Trust, Washtenaw County Planning & Environment, Webster Township, City of Ann Arbor and Pittsfield Township. The initial plan is to develop a website indicating benefits of and opportunities for PDR and directing users to the appropriate local agencies. The Farmland Preservation Board has recommended the Township join the organization. The Township attorney advised the Board there is no termination provision in the resolution. **Basch moved approval for the Township to join Preserve Washtenaw and authorize the Supervisor to sign the resolution with a provision that the Township can withdraw from Preserve Washtenaw upon written notice. DiPietro seconded the motion which was adopted unanimously.**

**D. Appointment to Compensation Commission**

Moran requested the confirmation of the appointment of Gene Ragland to the Compensation Commission to replace resigned member Helene Gidley for the five year term ending 1-1-2012. **DiPietro moved approval of the appointment of Gene Ragland to the Compensation Commission. Forshee seconded the motion which was adopted unanimously.**

**E. Supervisor's Report**

Moran reported he will be speaking at the Michigan Association of Planners on the three year odyssey to reach an agreement with Northbrooke. Moran also reported the Township will be receiving their first report from Virchow Krause that is investigating the authority for police services in eastern Washtenaw County.

**F. Clerk's Report**

Basch reported there is a ZBA meeting on October 17<sup>th</sup> which will be holding two public hearings.

**G. Treasurer's Report**

Forshee submitted a written report to the Board.

**H. Planning Commission**

Allison reported on the planning commission meeting held on October 1<sup>st</sup> and the workshop meeting held on October 8<sup>th</sup>. The minutes were included in the Board's packets.

**I. Public Safety**

**1. Fire Department**

No report. Moran reported Chief Ericson is home from the hospital and is recovering from his illness.

**2. Sheriff Department**

Sergeant Cook submitted a written report to the Board.

**J. Utilities Department**

Judkins submitted a written report to the Board. Judkins reported Pine Brook has an engineering firm which is designing and planning to install a new drain by November. Judkins also reported he is in the process of hydro flushing and changing out water meters that are over 10 years old.

**K. Building Department**

Dresselhouse submitted a written report to the Board.

**L. Farmland and Open Space Preservation Board**

Allison reported on the FOSPB meeting. The minutes were included in the Board's packet. Allison also reported the FOSPB has recommended the Board authorize funding to obtain appraisals on two PDR applications that qualify for the small farm initiative. **Basch moved approval to authorize the Supervisor to obtain appraisals for 2 parcels being considered as part of the new small farm initiative. Dieterle seconded the motion which was adopted unanimously.**

**M. Approval of Claims Listing**

**DiPietro moved approval of the claims listing for October 1, 2007 in the amount of \$23,568.18. Allison seconded the motion which was adopted unanimously.**

**DiPietro moved approval of the claims listing for October 10, 2007 in the amount of \$103,865.87. Dieterle seconded the motion which was adopted unanimously.**

**VI. INFORMATIONAL ONLY ITEMS**

Items were included in the Board's packets.

**VII. NON-AGENDA ITEMS - None.**

**VIII. PUBLIC COMMENT – None.**

**IX. ADJOURNMENT**

**Forshee moved approval to adjourn the meeting at 9:57 p.m. DiPietro seconded the motion which was adopted unanimously.**