

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING MINUTES
MONDAY, OCTOBER 20, 2008**

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 7:30 p.m. at the Township Hall, 3792 Pontiac Trail, Ann Arbor, Michigan, 48105.

Present: Supervisor Michael Moran, Clerk Rena Basch, Treasurer Della DiPietro, Trustees John Allison, Richard Dieterle, Randolph Perry, and Claudia Sedmak.

Also Present: Township Attorney Sandra Sorini Elser, Fire Chief Rick Ericson, Utilities Superintendent Rick Judkins and Township Engineer George Tsakoff.

II. CITIZEN PARTICIPATION

No citizen signed up for participation.

III. APPROVAL OF MINUTES

Perry moved approval of the September 22, 2008 meeting minutes. DiPietro seconded the motion which was adopted unanimously.

IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING**A. Ordinance Amendment – Re-establishment of Planning Commission**

Moran advised the Board this is the second reading of the ordinance amendment re-establishing the Planning Commission in accordance with the new Planning and Zoning Enabling Acts. The Township Attorney distributed a slightly revised draft ordinance with typographical corrections.

DiPietro moved to adopt on second reading the amendment to the Ann Arbor Charter Township Code of Ordinances Division 1 Chapter 2 Article VI establishing the Planning Commission draft dated October 20, 2008 with changes to ~~subsection 32.225 (c)~~ adding quotation marks around the word ~~paragraph~~ "Project", and in subsection ~~F-2.225 (f)~~ striking the word "decides" and replacing it with "members decide". Allison seconded the motion which was adopted unanimously.

B. Schedule Public Hearing for 2008 Master Plan update

Moran said this matter needs to be sent back to the Planning Commission to have them schedule a public hearing on the General Development Plan. Moran said the Township has received comments from the County and the required period of time for review has expired. **Allison moved to request the Planning Commission to schedule a public hearing for the 2008 Master Plan. Dieterle seconded the motion which was adopted unanimously.**

The Township attorney suggested it would be a good idea to re-adopt a resolution regarding the Board's authority to approve the Master Plan once the Planning Commission has approved it.

Allison moved to adopt the Resolution Confirming Township Board Assertion of Right to Approve or Reject Amendments to the Township Master Plan draft dated October 20, 2008. DiPietro seconded the motion which was adopted unanimously.

C. Delivery of Proposed 2009 Budget

Gerry Kruse, Township Comptroller, presented the proposed 2009 budget. Kruse outlined the assumptions in the budget and answered general questions from Board members. **Basch moved**

to set a public hearing on the proposed 2009 budget following the general appropriations act for the November 17, 2008 Board meeting. Allison seconded the motion which was adopted unanimously.

V. APPOINTMENTS, RESOLUTION, REPORTS, DISCUSSIONS

A. Discussion regarding Atwell-Hicks possible location within the Township

James Skochelak, Vice President of Finance for Atwell-Hicks, explained that the company is expanding into the alternative energy sector, and they are now eligible for a ~~mega~~-MEGA grant through the State of Michigan. The qualifications for the ~~mega~~-MEGA grant require a compelling reason for the State of Michigan to keep the business in the State. Skochelak said the ~~mega~~-MEGA grant is tax abatement against the business tax and requires the Township to make some contribution. Skochelak said Atw-Well-Hicks would like to locate at the KLB Corporate Center, and they are considering a 10 year lease with the possible maximum of 150 employees. Moran explained the challenges the Township is facing regarding parking and signage issues at the center and that discussions are on-going between Conway and Atwell-Hicks. The Board questioned whether or not they need to hold a public hearing in order to expend Township funds. The Township attorney said she would have to investigate whether a public hearing is required. **Perry moved to give Atwell-Hicks support for their quest for the ~~mega~~-MEGA grant. Dieterle seconded the motion.** Allison said he would vote against the motion because he believes it sends a mixed message to ~~At-Well~~Atwell-Hicks because parking is a major issue at the KLB Corporate Center. **DiPietro moved to amend the motion to support Atwell-Hicks attempts to locating its business and new venture somewhere in Ann Arbor Township and support their efforts to obtain a ~~mega~~-MEGA grant from the State of Michigan. Sedmak seconded the motion which was adopted unanimously. Basch moved to set a public hearing for the November 17, 2008 Board meeting contingent upon it being necessary to provide financial support for Atwell-Hicks locating in the Township. Perry seconded the motion which was adopted unanimously.**

B. Utilities Department

Judkins submitted a written report to the Board and recommended the Board award the contract for the Ayrshire SAD project.

DiPietro moved to amend the agenda to advance item V.J. to after item V.B. Dieterle seconded the motion which was adopted unanimously.

J. Approval of Bid Ayrshire SAD

Tsakoff presented the bids for the Ayrshire SAD Project. Tsakoff said they received seven bids for the project ranging from \$284,200 to \$565,150 and estimated construction costs at \$330,000-\$346,000. Tsakoff said the low bidder is a quality contractor who they have worked with before. Tsakoff recommended the Board award the contract to C&G Myers Construction, LLC for \$284,200 with an additional 10% (\$28,420) for construction contingencies. **Allison moved to authorize the Supervisor to contract with C&G Myers Construction, LLC for the Ayrshire Sanitary Sewer SAD project in the total amount not to exceed \$315,000. Perry seconded the motion which was adopted unanimously.**

C. Public Safety

1. Fire Department

Ericson reported an ISO representative spent two days with the department and met with department heads. Ericson said because of the large amount of paper work the ISO will not have an evaluation for the department until April 2009. Ericson requested the Board give the

Supervisor authority to approve bid proposals to rescue truck manufacturers so that a bid contract may be awarded by the end of the year to avoid price increases of 8 – 10%. **DiPietro moved to authorize the Supervisor, Fire Chief, and Township Attorney to develop the bid package for new rescue trucks. Dieterle seconded the motion which was adopted unanimously.**

2. Sheriff Department

Sergeant P. Cook submitted a written report to the Board.

D. Resolution PA 116 Applications

Moran advised the Board the Township has ~~six~~ applications for PA 116 Farmland Agreement. **Allison moved approval of the resolution for the PA 116 application for Kenneth and Joann Zeeb. DiPietro seconded the motion which was adopted unanimously. Allison moved approval of the resolution of the Braun PA116 Farmland Agreement for 77.75 acres. Basch seconded the motion which was adopted unanimously. DiPietro moved approval of the resolution of the Braun Trust PA116 Farmland Agreement for 285.99 acres. Allison seconded the motion which was adopted unanimously.**

E. Resolution – Purchase of Development Rights

Moran informed the Board they received a report from the FOSPB recommending the Township expend the identified funds for PDR purchases. Allison said the FOSPB recommended approval of the Braun and Gould applications at their last meeting with certain conditions which are met by the participation agreements. **Allison moved to approve the Braun and Gould participation agreements with authority for the Supervisor to make slight changes in the agreements, and the expenditure of funds in the amount of \$1,287,000 for the Township contribution for the purchase of the development rights for the Braun property, and \$217,500 for the Township contribution for the purchase of the development rights for the Gould property, and to pay the Township's share of associated costs with the City of Ann Arbor. Dieterle seconded the motion which was adopted unanimously.**

F. Resolution – Special Assessment – Cooch Drain

DiPietro reported seven properties have been identified that comprise the Cooch Drain which has not been assessed in the past for regular maintenance. **DiPietro moved that the Cooch Drain has been established with seven properties within the Township, and upon recommendation by the WCDC the Township will be assessing the property owners' share of the Cooch Drain 2008 assessment with the Township share of \$79.66 for a total of \$225.31. Allison seconded the motion which was adopted unanimously.**

G. Resolution – Fair and Accurate Credit Transaction

Moran informed the Board the Township was recently notified that the Fair and Accurate Credit Transaction Act (FACTA) and the Federal Red Flag Rules apply to local governments extending credit for special assessment districts and utility billing. **DiPietro moved to approve the Resolution for Compliance with FACTA. Basch seconded the motion which was adopted unanimously.**

H. Agreement – NSF Fire and Police Services

Moran reported the Township will be refunding some money to NSF for property taxes paid on their addition. Moran said because of the refund he negotiated an amendment to the fire and police services agreement and requested the Board's authority to permit him to sign the agreement. **DiPietro moved to authorize the Supervisor to sign the agreement with NSF for fire and police services. Dieterle seconded the motion which was adopted unanimously.**

I. Letter of Commitment for Huron River Watershed Council

Moran requested the Board's authority to sign a letter of commitment with the HRWC.

Allison moved to authorize the Supervisor to sign a letter of commitment to work with the Huron River Watershed Council and WCRC in regard to developing improved road maintenance procedures. DiPietro seconded the motion which was adopted unanimously.

K. Supervisor's Report

Moran reported the EDC has established a fee structure, and the Township has created a prescription drug co-pay ~~medical~~ reimbursement plan for ~~fire fighter~~ township employees.

Moran said fire fighters negotiations continue and Father Gabriel Richard High School is responding slowly in preparing their planning information. Moran also reported the WCC water main loop section that the WCC is paying for has been completed, and Urban County has tentatively agreed to pay for Carol Duggan's \$25,000 assessment for the Ayrshire sanitary sewer.

L. Clerk's Report

Basch reported the Election Commission met last week and the Public Accuracy Test is scheduled for October 27, 2008 at 9:30 a.m. Basch also reported the Township issued 800 absentee ballots and 300 ballots have been returned.

M. Treasurer's Report

DiPietro submitted a written report to the Board.

N. Planning Commission

Allison reported on the Planning Commission meeting held on October 6, 2008. The minutes were included in the Board's packets.

O. Building Department

John Hamlin submitted a written report to the Board.

P. Farmland and Open Space Preservation Board

Allison reported on the FOSPB meeting held on September 29, 2008. The minutes were included in the Board's packets

Q. Approval of Claims Listing

Basch moved approval of the claims listing for October 1, 2008 in the amount of \$121,452.42. Sedmak seconded the motion which was adopted unanimously. Allison moved approval of the claims listing for October 15, 2008 in the amount of \$128,717.19. Perry 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

Catherine Braun thanked the Board for approving their PDR application.

IX. ADJOURNMENT

Basch moved to adjourn the meeting at 9:35 p.m.