

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING
MINUTES OF MEETING
MONDAY, JUNE 19, 2006**

I. ROLL CALL

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, Treasurer Virginia Forshee, Clerk Rena Basch, Trustees Della DiPietro, Gene Ragland and Richard Dieterle.

Absent: Trustee John Allison.

Also Present: Township Attorney Sandra Sorini Elser, Fire Chief Rick Ericson, Utilities Superintendent Rick Judkins, Controller Colleen Coogan and Auditor Ken Palka

II. CITIZEN PARTICIPATION – No citizen signed up for participation.

III. APPROVAL OF MINUTES OF MAY 15, 2006

Corrections to the 5/15/06 minutes: On page two in the fourth paragraph insert a period after “precedent” and strike the remaining sentence. **DiPietro moved approval of the May 15, 2006 minutes with corrections. Basch seconded the motion which was adopted unanimously.**

IV. AUDIT REPORT

Ken Palka of Pfeffer, Hanniford & Palka presented a brief overview to the Board of the Township audit for the 2005 fiscal year. Palka thanked the Township for their assistance in preparing the audit. Palka stated as a result of the audit they have made a few recommendations to the Board which are reflected in their March 9, 2006 letter. Palka said the Township needs documentation for long term type professional services showing the Board’s understanding of what services are provided and the costs for those services. Palka indicated the Fire Department has a policy which pays \$150 per month for retiree health care but beginning in 2008 the Township will be required to include liability in financial statements before an employee retires. Palka said the Township received a grant for free voting equipment which needs to be recorded as revenue and expenditure and should be reflected in the budget as well. Palka stated there was some confusion under the sewer and water fund as to what should be paid out of restricted funds and he recommended the Township develop a policy (a sample policy was provided to the Board) on what should be paid by restricted funds. Palka provided the Board with draft copies of the financial statements consisting of 88 pages. Palka said if there are no further changes in the financial statements, final bound copies will be provided to the Board and required copies will be submitted to the State of Michigan. Palka indicated they submitted an unqualified opinion letter which means the Township is in accordance with generally accepted accounting principals. Palka thanked Supervisor Moran for his work on the Management Discussion Analysis. Palka said although the Township had a ~~generous size~~sizeable fund balance he cautioned the Board when examining fund balances ~~due to~~ account for continued reductions in State Revenue Sharing, cable

franchise fees and annexation issues. Palka advised the Board their contract ends this year and they are requesting an increase of \$200 per year for the next three years. Palka also advised the Board an additional single audit will be necessary for the federal funds the Township received for the PDR program.

V. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. ZC-3-05 Silverman, Northbrooke

Moran presented the Board with a brief history on the Silverman, Northbrook project. Moran stated the Board appointed a subcommittee consisting of Trustees John Allison and Gene Ragland, Supervisor Moran and Planning Commission member Randy Perry to address concerns raised by the Petitioner. Moran said as a result of the subcommittee meetings a proposal approving the PUD rezoning and area plan with conditions is before the Board. Moran said the proposal includes conditions both parties believe they can accept and meet including conditions which make it easier for residential units to be compatible with farming units. Basch asked how the decision was reached regarding the gravity system. Moran indicated based on intensive exploration and review of the hydrogeological studies by the Township's engineers they concluded a gravity system was not the best system for the area because of an upper and lower aquifer. Moran stated based on the engineers' analysis a low pressure system was determined to be feasible for the area since the project will draw from the lower aquifer and the engineers determined there was no need for monitoring wells. DiPietro asked what would happen to the land if the part designated for farming is no longer farmed. Moran stated it's the Township's obligation to preserve and maintain the conditions for farming and/or open space as imposed under the agreement. Dieterle noted and objected to the peninsula projecting into the open field. Moran said there was a lot of give and take in the discussions but the benefit to the Township is a substantial farmland donation by the Petitioner. DiPietro noted a typographical error in the resolution on page five in the tenth line the word "large" should be "larger" and Basch noted on page three, item q the date should be corrected to "February 20, 2006". **DiPietro moved approval of the PUD rezoning petition and area plan for the Northbrooke proposal with all of the recitals, conditions and exhibits herein. Basch seconded the motion which was adopted unanimously. Resolution attached.**

Ragland moved approval to amend the agenda to advance item VII. A. Dieterle seconded the motion which was adopted unanimously.

VII. A. Washtenaw County Planning, Presentation of County Open Space Plan

Jason Kaplan, County Services Supervisor with Washtenaw County Planning and Environment and on behalf of Washtenaw Metro Alliance presented the Board with a bullet point presentation and brief overview of the WMA plan for coordinated parkland and open space initiatives in the region. Kaplan indicated the WMA is a voluntary consortium which consists of the cities of Ann Arbor and Ypsilanti and five townships, Ann Arbor, Superior, Pittsfield, Scio and Ypsilanti. Kaplan addressed and discussed the following topics and issues: why open space, why a regional approach, efforts to date, key findings, why green infrastructure and the framework for the region's green infrastructure, regional vision, regional preservation vision, action strategies, Ann Arbor

Township features of regional significance and Ann Arbor Township's role in regional preservation.

V. B. Private Wastewater Treatment Systems Ordinance

Moran indicated the Board previously had a first reading of the PWS ordinance; however, the Board had made various suggested changes to the ordinance. Moran said the Board is now looking at the ordinance as a new first reading. Moran stated the Planning Commission has scheduled a public hearing for July 5, 2006. The Township Attorney noted changes were made under sections 3.4.3.10 and 3.4.3.12. The Township Attorney said based on discussions pertaining to the Northbrook project it became clear the Township needed to separate the operation and maintenance reserve from the replacement reserve. The Township Attorney indicated after looking at what the State does and practical concerns of the developer she came up with the two funding proposals. Under section 7.2.1 the Board decided to strike "The Township Enforcement Officer" and insert "the Township Utilities Director" after "Township Zoning Official". **Basch moved approval of the first reading of the proposed Private Wastewater Treatment Systems Ordinance with the revisions included to sections 3.4.3.10 and 3.4.3.12 and other items discussed. Ragland seconded the motion which was adopted unanimously.**

C. Zoning Ordinance, Amendment of Notice Provisions to meet new zoning enabling act

The Township Attorney stated the notice provisions were the most important changes to the new zoning enabling act. The Township Attorney said the new act requires notice not less than fifteen days on any kind of public hearing. Basch stated she is in favor of having the Township language be consistent with the statutory language to avoid any confusion and/or mistakes. DiPietro expressed concern the 15 day notice may not be enough time to adequately notify residents. DiPietro also expressed concern regarding notice to apartment complexes and suggested a change in the language to post notices at reasonable locations throughout apartment structures. Under section 130.903 (d) the Board decided to strike "infrastructure agencies" and changed "one mile" to "300 feet". **DiPietro moved approval to send the Ann Arbor Charter Township Zoning Ordinance Amendment to the Planning Commission for a public hearing with changes noted under the notification section and governmental units section including repeal provisions. Dieterle seconded the motion which was adopted unanimously.**

D. Zoning Ordinance, Amendment Regarding Board Review of PUD Area Plan

The Township Attorney stated the zoning ordinance amendment is a Board review of a petition and area plan for a PUD after the Planning Commission has proposed it to the Board. The Township Attorney said the statute was changed to have it be a discretionary referral back to the Planning Commission and is a permissive rather than a mandatory referral. **Ragland moved approval to refer the zoning ordinance amendment to the Planning Commission. DiPietro seconded the motion which was adopted unanimously.**

VII. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS

B. Appointment of Constructions Appeals Board and Fire Board of Appeals

Moran stated the Construction Code and the Fire Code both require the appointment of an appeals board. Moran said the Board will be considering a new proposed ordinance to adopt an international fire code with a number of enforcement provisions which requires a fire appeals board. Moran indicated the Township may be faced with its first appeal from a construction decision filed this month. Moran stated many Townships use the County's Construction Appeal Board and is asking approval to appoint the County Board to handle both types of appeals. **DiPietro moved approval of the appointment of the County Construction Appeals Board for the Township Construction Appeals and for the Fire Board Appeals. Ragland seconded the motion which was adopted unanimously.**

C. SEMCOG, Request for Renewal of Support

Moran stated the Southeast Michigan Council of Governments is requesting the Township to renew its membership. Moran said membership dues are \$850. **Dieterle moved approval to participate with SEMCOG and authorize payment in the amount of \$850. Ragland seconded the motion which was adopted unanimously.**

D. Washtenaw Development Council, Request for Renewal of Support

Moran informed the Board the Washtenaw Development Council is joining with SPARK and has hired a new director, Michael Finney. Moran stated Mr. Finney is willing to make a presentation to the Board. Moran said he believes the group will be significantly invigorated by Mr. Finney who headed the development organization in Rochester, New York. Moran said Mr. Finney is very dynamic and believes he will open up the council to more startup ventures; however, it is very unlikely they will focus on farming as a business. Ragland commented issues in the past have been their lack of support for farming as a business and that they didn't have a coordinated view of development in Washtenaw County. Ragland said he didn't have any objections at this point of renewing support. Basch stated the Township should support the Council but would like to revisit issues of the past and current issues facing the township, such as Flint Ink and Earhart Corporate Center. **Ragland moved approval of the request for renewal of the contract with Washtenaw Development Council. DiPietro seconded the motion which was adopted unanimously.**

E. Michigan Townships Association, Request for Renewal of Township membership and dues

Moran stated annual dues for the MTA are \$5,431.44 which includes the legal defense discretionary assessment of \$307.44. Moran said although the dues seem high the Township gets more from the MTA than any other organization and is worth the money. **DiPietro moved approval of the request for renewal of the Michigan Township's Association membership and dues including the legal defense discretionary assessment. Dieterle seconded the motion which was adopted unanimously.**

F. Pfeffer, Hanniford & Palka, Contract renewal for 2006-2008

Moran addressed the initial comment by the auditors regarding long term professional services. Moran said there are consultants the Township continues to work with whose contracts have expired. Moran indicated the Township continues to work with these consultants on a month by month basis without renewing a long term contract. Moran commented the current auditors do a very good job and recommended renewal of the contract. **Basch moved approval of the three year contract with Pfeffer, Hanniford & Palka for the Township audit. Ragland seconded the motion which was adopted unanimously.**

G. Sheriff's Contract 2006-2009

Moran stated the Board previously authorized the Supervisor to sign the contract but since the signing the County and Sheriff had a standoff over the contract language. Moran said the Sheriff was concerned that his signature on the contract could be read as prohibiting him from suing the County for funds sufficient to exercise his functions as Sheriff and therefore demanded additional language in the contract. Moran indicated the Board of Commissioner agreed to the additional language. Moran stated the additional language does not affect the Township in any way. Moran requested permission to sign the amended contract. **DiPietro moved approval for the Supervisor to sign the amended contract. Basch seconded the motion which was adopted unanimously.**

H. Proposed Addition of Mercantile Bank of Michigan to approved investment List

Moran indicated Treasurer Forshee has requested to add Mercantile Bank of Michigan to the Township's list of potential banks so the Township can invest its money. **Ragland moved approval to add Mercantile Bank of Michigan to the approved investment list. Dieterle seconded the motion which was adopted unanimously.**

I. Supervisor's Report

Moran stated the office renovation is moving along smoothly. Moran said he will be attending a presentation on the County's Private Wastewater Treatment Ordinance on Thursday, June 22, 2006. Moran indicated he attended a half day workshop with Bill McFarlane from Superior Township on police collaboration and received a booklet which is very informative as to various ways the Township can establish police collaboration groups. Moran said the Board will be receiving a proposal from Northfield Township regarding costs for police services. Moran stated he continues to work with CARD and participated in the mayor's green fair. Moran said PALL is looking to abandon the area and pollution levels continue to rise. Moran indicated KLB Corporate center is pretty much complete however the tree issue is still outstanding.

J. Clerk's Report

Basch requested the Board hold a special meeting on Wednesday, June 28, 2006 at 7:30 p.m. for a public hearing on the special assessment district for Fleming Creek. Moran requested the Silverman, Northbrooke project be added to the agenda for the special meeting. Basch requested to schedule an Election Commission meeting for July 17⁵, 2006. Basch informed the Board the ballot proofs are in for the eight ~~precincts~~ ballot

styles and that the Township received two new voter assistant terminals which allow individuals with a range of disabilities to cast their own vote.

F. Planning Commission

Moran reported on the Planning Commission meeting held on June 5, 2006. The minutes were included in the Board's packet.

G.1. Fire Department

Chief Ericson reported the department has been working on a new international fire code ordinance which will be presented to the Board next month.

G.2. Sheriff Department

Sergeant Mahalick submitted a written report to the Board. Moran informed the Board that Sergeant Mahalick is currently on family leave.

H. Utilities Department

Judkins reported the 2005 Consumer Confidence Report has been completed and provided copies to the Board. Judkins informed the Board the contractor on the Plymouth Road widening project removed two fire hydrants. Judkins indicated the comprehensive punch lists are almost complete for The Ridge and Earhart Road projects. Judkins said a pre-utility meeting with the WCC Health and Fitness Center is scheduled for Thursday, June 22, 2006. Judkins indicated calibrations on all stations have been performed and he continues with routine inspections of the sewer and storm water sites.

J. Farmland and Open Space Preservation Board

Moran reported on the FOSPB meeting held on May 22, 2006. The minutes were included in the Board's packet.

K. Claims Listing

DiPietro moved approval of the claims listing for May 22, 2006 in the amount of \$2,507.42. Dieterle seconded the motion which was adopted unanimously.

Ragland moved approval of the claims listing for May 23, 2006 through June 1, 2006 in the amount of \$135,417.66. Dieterle seconded the motion which was adopted unanimously.

DiPietro moved approval of the claims listing for June 1, 2006 through June 14, 2006 in the amount of \$126,984.51. Ragland seconded the motion which was adopted unanimously.

VII. INFORMATIONAL ONLY ITEMS

Items were included in the Board's packets. The Board briefly discussed the WCRC's Capital Improvement Program and addressed bridges and roads in need of improvement.

IX. NON-AGENDA ITEMS

Dieterle commented that he spoke briefly with Dave Gordon from Northfield Township regarding insurance. Moran informed the Board that Northfield Township recently obtained insurance worth a savings of \$40,000 and received 5 million in zoning coverage.

X. PUBLIC COMMENT - None

XI. ADJOURNMENT

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