

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING
MINUTES OF MEETING
MONDAY, JULY 16, 2007**

I. ROLL CALL

The regular monthly meeting of the Ann Arbor Charter Township Board of Trustees was called to order by Supervisor Moran at 7:33 p.m. at the Township Hall, 3792 Pontiac Trail, Ann Arbor, Michigan, 48105.

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

Also Present: Township Attorney Sandra Sorini Elser, Utilities Superintendent Rick Judkins, Controller Colleen Coogan and Township Engineer Damien Wetzel.

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

III. APPROVAL OF MINUTES

Perry moved approval of the June 18, 2007 minutes. DiPietro seconded the motion which was adopted unanimously.

IV. PRESENTATION OF 2006 AUDIT

Ken Palka presented the audit of the Township for the 2006 fiscal year. Palka said the audit consists of graphs, financial statements, an audit report and comments and recommendations. The independent auditor's report is an "unqualified" opinion which means the Township's accounting and reports are in accordance with generally accepted accounting principals. The water and sewer fund had a total of \$941,000 in revenues with operating expenditures slightly over \$1.5 million. Palka said revenues and expenditures in the water and sewer fund are almost breaking even when taking into consideration depreciation and interest income. The general fund had a total of \$1.2 million in revenues with expenditures at \$1.1 million. The fire fund under operations had a total of \$970,000 in revenues with expenditures at \$900,000. The fire fund for capital improvement had a total of \$163,000 in revenues with no expenditures for the year. Palka stated once the audit is approved final copies will be provided to the Board.

DiPietro moved approval of the 2006 audit. Allison seconded the motion which was adopted unanimously.

V. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. AZ 12A-07 Release for Annexation Request by owner Irving Griffel for release for annexation of a .5 acre parcel, 1-09-18-480-008, 2054 Newport Road, to connect to City utilities per contract.

B. AZ 12B-07 Release for Annexation Request by owner Irving Griffel for release for annexation of a .5 acre parcel, 1-09-18-480-009, 2054 Newport Road, to connect to City utilities per contract.

C. AZ 13-07 Release for Annexation Request by owners Jeffrey and Karen Dec for release for annexation of a .58 acre parcel, 1-09-17-425-010, 135 Barton Drive, to connect to City utilities per contract.

D. **AZ 14-07 Release for Annexation** Request by owners John and Jean Lawton for release for annexation of a .99 acre parcel, 1-09-27-125-001, 2930 Glazier Way, to connect to City utilities per contract.

E. **AZ 15-07 Release for Annexation** Request by owners Keith and Elizabeth Gadway for release for annexation of a 1 acre parcel, 1-09-27-450-034, 310 Huntington Drive, to connect to City utilities per contract.

F. **AZ 16-07 Release for Annexation** Request by owners Ira Goldstein and Laura Sader for release for annexation of a .39 acre parcel, 1-09-27-475-001, 448 Huntington Place, to connect to City utilities per contract.

G. **AZ 17-07 Release for Annexation** Request by owners Richard and Roswitha Bird for release for annexation of a .46 acre parcel, 1-09-27-354-004, 213 Pineview Court, to connect to City utilities per contract.

H. **AZ 18-07 Release for Annexation** Request by owners Richard and Ora Lee Delcamp for release for annexation of a 1.88 acre parcel, 1-09-35-426-006, 3671 Riverside Drive, to connect to City utilities per contract.

I. **AZ 19B-07 Release for Annexation** Request by owners Oliver Johnson Revocable Trust and Rosalind Johnson Revocable Trust for release for annexation of a .5 acre parcel, 1-09-27-350-009, 192 Riverview Court, to connect to City utilities per contract.

J. **AZ 20-07 Release for Annexation** Request by owners Barton and Sarah Faylor for release for annexation of a .3 acre parcel, 1-09-27-371-012, 580 Rock Creek Drive, to connect to City utilities per contract.

K. **AZ 21-07 Release for Annexation** Request by owner Ruth Schieb for release for annexation of a 1.18 acre parcel, 1-09-18-150-021, 1400 Warrington Drive, to connect to City utilities per contract.

L. **AZ 22-07 Release for Annexation** Request by owner John Morey for release for annexation of a 2.0 acre parcel, 1-09-16-390-006, 2012 Pontiac Trail, to connect to City utilities per contract.

M. **AZ 23-07 Release for Annexation** Request by owners William Fagan and David Foerster for release for annexation of a .35 acre parcel, 1-09-27-475-031, 3081 Dover Place, to connect to City utilities per contract.

N. **AZ 24-07 Release for Annexation** Request by owner Rhoda M. Powsner Revocable Trust for release for annexation of a .44 acre parcel, 1-09-27-490-006, 485 Riverview, to connect to City utilities per contract.

Allison moved approval of the release for annexation of AZ 12A, 12B, 13, 14, 15, 16, 17 18, 19B, 20, 21, 22, 23 and 24-07; subject to the Clerk and Treasurer's determination that taxes have been paid and the City of Ann Arbor has passed resolutions accepting the properties. Perry seconded the motion which was adopted unanimously.

VI. APPOINTMENTS, RESOLUTION, REPORTS, DISCUSSIONS

A. Supervisor's Report

Moran reported the agreement between Colt Farms and the developer has been terminated and as a result the MDEQ appeal has been dismissed with prejudice. The Farmland and Open Space Preservation Board has a number of applications for PDR. DF Land Development is suing the Township for not having zoning to permit a shopping center. The City of Ann Arbor has notified the Township that they plan to expand their sewer plant. Virchow Krause is working diligently

on the police authority study and is in the process of validating the data collected. Jim Harmon with the WCRC is now the Director of Operations. The Huron River Drive reconstruction efforts are ongoing and the City has determined that they will not be closing the road. Moran said he has notified the WCDC of the Township's request to terminate the drainage district for Pine Brooke Estates. The Utilities Committee continues to work on the Ayrshire Special Assessment District and the Board will need to hold the first of two public hearings. Moran said the Board needs to decide whether they want to hold the hearings during a regular meeting or at special meeting. The Township attorney advised the Board in order to establish the first public hearing they need to adopt a resolution of intention to establish a SAD which identifies the district and the potential project costs. Moran also reported Gary Dresselhouse has notified the Township of his retirement effective January 15, 2008.

B. Clerk's Report

Basch reported the Township has not yet received the codification of ordinances and was informed by the Municipal Code Corporation that they will be printed by July 20th. Basch also reported AT&T has not provided the Township with their proof of insurance, letter of acceptance and permit fee as required under the video franchise agreement.

C. Treasurer's Report

Forshee submitted a written report to the Board.

D. Planning Commission

Allison reported on the Planning Commission meeting held on July 2, 2007 and the workshop meeting held on July 9, 2007. The minutes were included in the Board's packets.

E. 1. Fire Department

Lieutenant Volger reported on behalf of Chief Ericson who was on vacation. Volger reported the Barton Hills fireworks display was successful with no injuries or fires. The department's new ladder truck arrived a week ago. Five of seven firefighters have taken the 300 and 400 incident command system training courses which were federally funded. The department's website has been updated and Volger encouraged the Board to check out the site.

Basch advised the Board a resolution is needed to authorize the exact purchase price of the ladder truck. **Allison moved approval to amend the budget to approve the expenditure of \$574,689.00 for the new ladder truck. Basch seconded the motion which was adopted unanimously.**

E.2. Sheriff Department

Lieutenant Brian Filipiak submitted a written report to the Board.

F. Utilities Department

Judkins submitted a written report to the Board. Judkins reported on the water reliability study for service area 5A. Wetzel advised the Board it is a requirement of the MDEQ to update a water reliability study every five years. Wetzel stated the study recommends installing pressure reducing valves for maintenance purposes and to begin planning for a additional water storage tank to accommodate sufficient fire flow.

G. Building Department

Dresselhouse submitted a written report to the Board.

H. Farmland and Open Space Preservation Board

Allison reported the FOSPB currently has five applications under consideration for PDR totaling 485 acres. Allison said the FOSPB is requesting the Board to approve three appraisals on three of the properties which are appropriate for the state or federal program. The Fair Food Foundation may be interested in sharing the cost of appraisals. Allison and Kotila met with City Greenbelt officials who are very supportive of the small farm initiative and have established a subcommittee of two members to work with the FOSPB. **Allison moved approval of up to three appraisals for the FOSPB for PDR applications contingent upon individual approval by the Township Supervisor after consultation with counsel on the advisability of using someone else's appraisal. Motion passed.**

I. Approval of Claims Listing

DiPietro moved approval of the claims listing for June 15, 2007 in the amount of \$1,404.54. Basch seconded the motion which was adopted unanimously.

DiPietro moved approval of the claims listing for June 27, 2007 in the amount of \$574,882.85. Allison seconded the motion which was adopted unanimously.

Allison moved approval of the claims listing for July 2, 2007 in the amount of \$44,338.29. Dieterle seconded the motion which was adopted unanimously.

Dieterle moved approval of the claims listing for July 11, 2007 in the amount of \$79,280.04. DiPietro seconded the motion which was adopted unanimously.

VII. INFORMATIONAL ITEMS

Items were included in the Board's packets. Moran reported he has had discussions with Representative Pam Byrnes and she has assured him she will not support bill 4780 or related bills. Moran also reported a recent Jackson case involving the religious land use and institutionalized persons act (RLUIPA) was favorable to Townships. In the Township's case Moran requested counsel to file a motion for reconsideration based on the Jackson case but the motion was denied. Moran suggested the Board consider appealing the decision to the Supreme Court and to discuss the matter further in closed session.

VIII. NON-AGENDA ITEMS

IX. PUBLIC COMMENT

Judkins commented that soil erosion control will begin on August 1st.

X. ADJOURNMENT

At 9:05 pm Allison moved approval to adjourn to closed session to discuss pending litigation. DiPietro seconded the motion which was adopted unanimously.

The Board reconvened from closed session at 9:22 p.m.

DiPietro moved to approve the motion that was considered and recommended by the Board in the closed session. Allison seconded the motion which was adopted unanimously.

Forshee moved approval to adjourn the meeting at 9:24p.m. Basch seconded the motion which was adopted unanimously.