

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING
MINUTES OF MEETING
MONDAY, MARCH 15, 2010**

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 Della DiPietro, Trustees John Allison, Randolph Perry, Richard Dieterle, and Claudia Sedmak.

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

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

III. APPROVAL OF MINUTES

Corrections to the 2/15/10 minutes: On page 3 under item G in the 6th line strike “may” and insert “will” and in the 7th line strike “on the ballot which” and insert “this ballot question”.

DiPietro moved approval of the February 15, 2010 meeting minutes as amended. Dieterle seconded the motion which was adopted unanimously.

IV. ANNUAL MEETING - WASHTENAW COUNTY ROAD COMMISSION (WCRC)

Steve Puuri Managing Director of the WCRC gave a brief report on the Township’s 2009 activities. Puuri explained the Township’s total activities were tracked by primary roads, local roads, routine maintenance, and projects. Projects included Clark Road milling and overlay, Warren Road crack sealing, local road dust control and the installation of two culverts. Puuri said WCRC overspent \$1.6 million in 2009 and will try to bring their budget back in line in 2010. Puuri reported they added a drainage matching program which is distributed by the number of miles for non-subdivision, non-curb local roads. Puuri indicated they have adopted a new preventative maintenance program which evaluates pavements before a road passes fair condition to prevent total reconstruction. Puuri noted challenging times are ahead for the WCRC due to the continued decline in Michigan Transportation Funds and capital investments. Eric Long presented the Township’s proposed projects for 2010 which include improvements to Gleaner Hall to Joy Road and ~~Joy Road to Warren Road~~, Earhart Road from Joy Road to Warren Road, Dhu Varren Court, approaches to East Huron River Service Drive and Englave Road at Newport Road, and all roads within Huron River Heights and Hawthorne Hill subdivisions. Jim Harmon presented the costs for dust control and indicated the cost for brine decreased from last year however the cost for calcium chloride increased by 2 cents per gallon. Harmon suggested the Township consider two applications of brine instead of one application of calcium chloride. Harmon also reported the state and county are experiencing a significant decline in traffic counts which negatively impacts funding.

V. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. Application for Industrial Facilities Tax Exemption Certificate

1. Presentation

Mark Perry Director of Property Taxes and Real Estate Services for Masco Cabinetry Corporation presented the company’s request for an industrial facilities exemption. Perry

explained Masco's cabinetry brands have been industry leaders for over 70 years, and locating new headquarters in Ann Arbor Township will provide the company with the resources necessary to preserve and grow this brand of excellence. Masco will be moving into their new headquarters formerly occupied by Flint Ink before the end of the 4th quarter of this year with 350 employees, and expects the company to grow over the next few years.

2. Board/Consultant Comments

Moran commented the Flint Ink building has been closed for 3 years, and the Township has been looking for someone to rehabilitate the facility, and convert the building so that it is more useful to others. Moran said this is a good opportunity for the Township, not only to get the Flint Ink building back in use, but to bring in a company that has a history of community involvement.

The Township attorney noted minor changes to the resolution and agreement draft dated March 15, 2010.

3. Public Hearing

Moran opened the public hearing at 8:28 p.m. Fred Hankin asked that Masco comply with the property's deed restrictions which provides for no entrance on Dixboro Road except for emergency access. Moran closed the public hearing at 8:30 p.m.

4. Board Action

DiPietro moved to adopt the resolution draft dated March 15, 2010 approving application of Masco Cabinetry Company for an Industrial Facilities Exemption Certificate under Michigan Act 198 of the Public Acts of 1974, as amended. Allison seconded the motion which was adopted unanimously.

B. Ordinance Amendment – Section 74-542(j)(k) and (i)

The Township attorney explained this is the final version of the ordinance amendment which clarifies standards for extension of PUD approvals. The Township attorney noted the final revisions are identified in bold type and are underlined. **Perry moved to adopt the Amendment to Zoning Code Sections 74-542(j)(k) and (i) to clarify standards for extensions of PUD approvals. Sedmak seconded the motion which was adopted unanimously.**

VI. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS

A. Utilities Department Monthly Report

Judkins submitted a written report to the Board. Judkins reported on the Dixboro Road lift station retrofit and updated the Board on the Clark Road water main. Judkins also reported the Utilities Committee voted in favor of Stantec's work proposal for the Dixboro Road pump station. **Allison moved to accept the Utilities Committee recommendation for the Dixboro Road pump station for phase one detailed design services and phase two bidding assistance and contract for an amount not to exceed \$49,500.00 subject to Township attorney review. DiPietro seconded the motion which was adopted unanimously.**

B. Public Safety

1. Fire Department

Ericson reported on a recent incident of illegal burning at the northeast corner of Stein and Maple Roads. Ericson read his report into the record and noted that he issued 2 civil infractions for open burn violations. Dee Warner said she and her husband are tenant farmers and started working the property over a year ago, and contacted Scio Township Fire Department to inquire

on how to get a burn permit. Warner said she gave the location of the property and the name of the property owners. Warner said Scio Township gave permission to burn until March 14th and said they would notify other local fire departments. Dieterle indicated the fire was near his property and that the Warner's have been farming his property for a number of years. Dieterle said it was unfortunate what happened here, and thought it would be punitive to levy fines. Dieterle added the spirit and letter of the law is in conflict. Allison and Perry both agreed the Chief was right to issue the violations but the actions of the Warner's were not intentional or willful. **Allison moved to rescind the two pending violations for open burn. Perry seconded the motion. Motion carried. Dieterle abstained.**

2. Sheriff Department

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

C. Contract with Stantec

Moran requested permission to sign the renewal contract with Stantec. Moran indicated the contract continues with a 3 year fixed rate for Damien Wetzel and Phil Maley. **Perry moved approval of the agreement of general consulting services between Ann Arbor Township and Stantec Consulting Michigan Inc., and that Supervisor Moran sign it subject to Township attorney review. Sedmak seconded the motion which was adopted unanimously.**

D. Event Permit

Kathy Byrum with Dream Wedding and Event Planners requested an event permit to hold an outdoor wedding reception at Father Gabriel Richard High School on June 26, 2010. Byrum said her clients are planning on inviting 350 guests along with a photo booth, DJ and a tethered hot air balloon. Byrum noted that music will be under a tent, and kept at a level low enough so that people can socialize. Byrum indicated hot air balloon rides are contracted for 2 hours provided weather permits safe conditions. Byrum said she will be on site all night and does not anticipate any problems. Byrum answered a series of questions from the Board. **Perry moved to grant special events permit for a wedding to be held outdoors at Father Gabriel Richard High School on June 26, 2010 from 5:00 p.m. to 1:00 a.m. subject to adding general liability insurance of one million and naming the Township as additional insured to the balloon policy. Sedmak seconded the motion which was adopted unanimously.**

E. Resolution to Reauthorize Natural Areas Millage

Moran reported this is a request by the Washtenaw County Parks and Recreation Commission for resolution of support for the millage renewal of the Natural Areas Preservation Program. **Allison moved to approve the resolution in support of reauthorization of a 10 year, ¼ mill tax to extend financial ability to acquire and manage important natural areas in Washtenaw County. Dieterle seconded the motion which was adopted unanimously.**

F. Supervisor's Report

Moran reported they have concluded with Board of Review hearings, the energy grant has an enormous amount of reporting, and he and Hamlin have taken training. Moran also reported the computer server is out of warranty and the storage mechanism is outdated. Moran said he is looking at computer system upgrades at a cost of \$15,000-\$16,000. Moran shared an email from Dave Rutledge regarding WCC establishing procedures for hiring contractors.

G. Clerk's Report - No report.

H. Treasurer's Report

DiPietro reported she has closed out the tax year and is seeing an increase in delinquencies.

I. Planning Commission

Allison reported on the Planning Commission meeting held on March 1, 2010. The minutes were included in the Board's packets.

J. Building Department - Hamlin submitted a written activity report to the Board.

K. Farmland Preservation Committee**2. Resolution regarding C&C Braun and Gould Purchases of Development Rights**

Moran reported a new appraisal from the federal government on the Braun farm has resulted in a shortfall of \$377,000. Moran asked the Board to approve to pay up to half of the \$377,000 shortfall to maintain the Township's credibility and commitment to farmland preservation.

Allison moved to authorize the Supervisor to work with the City of Ann Arbor to negotiate the shortfall provided by FFRPP funds up to a maximum of \$188,500. Dieterle seconded the motion which was adopted unanimously.

1. Request for Letter of Intent to Purchase Development Rights from Kate Long

Moran reported this is the Township's first small farm initiative proposal. Moran said Long plans to purchase the property under a land contract but will need PDR funds to acquire the property.

Long is asking the Township to purchase development rights on the property sometime in the future. Perry commented that Long hasn't provided a business plan but just a plan without numbers. Perry added much can happen in 5 years, and it prevents the Township from using the money on another alternative that may be more attractive. The Township attorney advised the Board that Long must have fee simple interest in the property before the Township could purchase the development rights. Allison said he would support setting aside PDR money for 5 years. Allison added Long is well known in the small farm community so what we do here will help establish the Township in the small farm initiative. Basch commented if we want the small farm initiative to be successful we need to find ways to make these unusual situations work, and get young people farming. Judkins noted the parcel's drainage tiles tie into Pinebrooke subdivision. **Allison moved to authorize Supervisor Moran to enter into the letter of intent with the conditions that the FOSPB review the issue of drain tiles, provide and approve the conservation easement, and in item B of the letter of intent add the seller will add-provide within 60 days and before execution of the purchase agreement and provide same to FOSPB. Sedmak seconded the motion. Motion carried with Perry opposed. Basch abstained.**

L. Approval of Claims Listings

Allison moved approval of the claims listings for March 1, 2010 in the amount of \$190,303.97. Basch seconded the motion which was adopted unanimously. Basch moved approval of the claims listing for March 10, 2010 in the amount of \$30,630.71 Sedmak seconded the motion which was adopted unanimously.

VII. INFORMATION ONLY ITEMS - Items were included in the Board's packets.

VIII. NON-AGENDA ITEMS - None

IX. PUBLIC COMMENT - None

X. ADJOURNMENT - DiPietro moved to adjourn the meeting at 10:52 p.m.