

**ANN ARBOR CHARTER TOWNSHIP  
BOARD OF TRUSTEES MINUTES OF MEETING  
MONDAY, AUGUST 17, 2009**

**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 7:34 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, and Richard Dieterle.

Absent: Trustee Claudia Sedmak

Also Present: Township Attorney Sandra Sorini Elser, Utilities Superintendent Rick Judkins, Fire Chief Rick Ericson, Comptroller Jerry Kruse, Township Engineer Damien Wetzel and Township Planner Zak Branigan.

**II. CITIZEN PARTICIPATION**

There were no public comments. John Petz deferred his comments until discussion of agenda item V. C.

**III. APPROVAL OF MINUTES**

**Perry moved approval of the July 20, 2009 meeting minutes. Dieterle seconded the motion which was adopted unanimously.**

**DiPietro moved to advance item V.C. Allison seconded the motion which was adopted unanimously.**

**V.C. WIND ENERGY CONVERSION SYSTEMS**

Branigan said the Planning Commission worked on the proposed ordinance over a period of three meetings and held a public hearing. Branigan explained the ordinance was compiled from a variety of wind energy guideline sources. The Planning Commission considered temporary towers, safety and site considerations, and height requirements for single family residences and commercial towers. Branigan noted the ordinance allows for a variety of facilities.

John Petz on behalf of Domino Farms asked the Board to consider four items. Petz said the reference to types of towers under commercial should allow for other structures and should not be excluded or discouraged for other uses. Petz said towers are permitted in the office park district, but ~~not in PUDs~~ ~~are not identified~~. Petz asked the Board to consider an alternative fee for the CUP application because it may be a financial burden to residents. Petz added the requirement for an 8 foot fence under climb prevention may not appeal to property owners.

The Board reviewed and discussed the proposed ordinance at length. Moran commented there were enough issues requiring a redraft. Perry recommended deferring review to a workshop meeting. The rest of the Board preferred to continue to review the ordinance. Basch said Petz's comments were good and the Board needs to consider making it easier to do a wind study and include net metering. Perry added the ordinance does not address rooftop systems. **DiPietro moved to table. Dieterle seconded the motion. The motion carried with Moran opposed.** Branigan and the Township attorney will work on revisions from tonight's meeting. **Moran**

**moved to establish a moratorium on the installation of Wind Energy Systems in the Township until November 30, 2009.**

**DiPietro seconded the motion. Moran called for a roll call vote. Basch: no; Perry: yes; Allison: no; DiPietro: yes; Moran: yes; Dieterle: yes. Motion carried.**

**IV. SECOND QUARTER 2009 BUDGET REVIEW** by Jerry Kruse.

Kruse provided copies of the report to the Board. Kruse reported \$64,000 was returned to the State of Michigan from the fire fund due to over payment from the last 2 years. Kruse explained the state revenue sharing will be less than last year and will not receive what was budgeted.

~~Kruse added the Board needs to decide how storm water expense under Board of Trustees should be classified.~~

**V. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING**

**A. ORDINANCE, Storm Water Management Ordinance**

Moran indicated this is second reading of the proposed ordinance. The Township attorney advised the current draft includes clarifications discussed at the last meeting. Allison recommended adding permeable pavement to the definition of stormwater impact surface. Perry noted a grammatical error on page 3. **Basch moved approval on second reading of the stormwater management ordinance chapter 26 article VII of the Ann Arbor Charter Township Code of Ordinances with the 2 revisions discussed tonight. Allison seconded the motion.** Perry said the ordinance is problematic, vague and doesn't give enough guidance. Perry acknowledged the work done by the PC but the ordinance is not fixed, and he can't vote in favor. **Motion carried with Perry opposed.**

**B. ORDINANCE AMENDMENT, Storm Water Management in Subdivisions**

**Allison moved approval on second reading of the amendment to chapter 58, section 58-72(b) and section 58-113(a) of the Ann Arbor code of ordinances. Dieterle seconded the motion. The motion carried with Perry opposed.**

**VII. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS**

**A. Utilities Department Monthly Report**

Judkins submitted a written report to the Board. Judkins reported he received a written proposal from Stantec for providing professional engineering services for design improvement to the Dixboro Road Sanitary Lift Station. Wetzel explained this is the preliminary engineering phase and costs will not exceed \$10,000. Perry indicated the Utilities Committee had met to review the proposal and recommends approval. **Allison moved to authorize the Supervisor to approve the proposed study of the Dixboro Road pump station improvements. Perry seconded the motion which was adopted unanimously.**

**B. Public Safety**

**1. Fire Department**

Chief Ericson reported the new rescues arrived and should be in service next week. Ericson said the old 1993 rescue was sold for \$6,000. Ericson also reported that the department helped a 3 year old survive a cardiac arrest.

**2. Sheriff Department**

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

**C. Appointments to Compensation Commission**

Allison moved to accept the Supervisor's recommendation for the reappointment of Bradley Thomas to term ending 1/1/13 and Ken ~~Kohrs~~~~Coors~~ to 1/1/14. Dieterle seconded the motion which was adopted unanimously.

**D. Washtenaw County Solid Waste**

DiPietro moved approval of payment of the 2009 fiscal year dues. Perry seconded the motion which was adopted unanimously.

**E. Discussion of Publication Requirement**

Basch explained there are no daily newspapers now for publications. She thought an option would be to use AnnArbor.com's printed version, but ~~the Township passed a policy to only use the internet for certain instances. According to the Washtenaw Legal News,~~ AnnArbor.com can no longer accept the Township's public and legal notices because they are a new company and have not been in business for a full year. Basch said she spoke with the City of Ann Arbor's clerk who suggested using the Detroit Free Press or the Washtenaw Legal News. Perry said the Village is using the Washtenaw County Legal News. Moran recommended using the Washtenaw County Legal News until they find a better solution. Basch indicated she ~~can~~could also use the Ann Arbor Observer for monthly publications.

**F. Discussion of Record Retention Policies**

The Board discussed and reviewed the proposed record retention policy at length and edited the text. The Township attorney indicated she would work on narrowing it down so that the policy is clearer.

**G. Supervisor's Report**

Moran reported he testified at a public hearing in Detroit ~~ofn~~ the State Committee on Governmental Efficiency regarding the recent proposal requiring every state employee to be on the same health care plan and state revenue sharing. Moran said he will be taking off most of the month of October for personal reasons. Moran indicated he contacted Sue McCormick to report the incompetent work on the Swift Run project. Moran also reported a complaint has been drafted on the Neuman barn case.

**H. Clerk's Report**

Basch reported there will be an election on November 3, 2009 for the WISD millage. After a brief discussion, the Board was not in favor of consolidating the precincts. The election commission will need to meet ~~to make a decision as to whether to consolidate precincts as usual.~~

**I. Treasurer's Report**

DiPietro submitted a written report to the Board. DiPietro also reported the assessor received a phone call from a consultant with Traditions claiming about the proposed taxable value. Moran reported he had and would continue to have discussions with the developer ~~who has 3 1/2 million invested~~. Moran said they want to get some idea of what the taxable value will be, and would like to sit down with the Township for further discussions.

**J. Planning Commission**

Allison reported on the Planning Commission meeting held on August 3, 2009. The minutes were included in the Board's packets.

**K. Building Department**

Hamlin submitted a written activity report to the Board.

**L. Farmland Preservation Committee**

Allison reported there have been a lot of discussions about the barn and they continue to study the issue. Allison also reported 2 parcels are ready for PDR closings.

**M. Approval of Claims Listings**

Allison moved approval of the claims listing for August 3, 2009 in the amount of \$663,456.78 subject to review of item 449 (Road service contract with WCRC). Dieterle seconded the motion which was adopted unanimously. Basch moved approval of the claims listing for August 12, 2009 in the amount of \$85, 377.06. DiPietro seconded the motion which was adopted unanimously.

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

**IX. NON-AGENDA ITEMS** - None

**X. PUBLIC COMMENT** - None

**XI. ADJOURNMENT** - DiPietro moved to adjourn the meeting at 10:13 p.m.