

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MINUTES OF MEETING
MONDAY, DECEMBER 21, 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 7:35 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, Controller Jerry Kruse, Township Planner Zak Branigan and Utilities Superintendent Rick Judkins.

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

DiPietro moved to advance items V.C. and V. D. Dieterle seconded the motion which was adopted unanimously.

V. C. Final 2009 Budget Amendments

Kruse explained in the General Fund the biggest adjustment was the reduction in state revenue sharing by \$60,000 along with a reduction in interest income of \$29,000 due to lower interest rates. Under Treasurer the estimate for BOR/MTT activity was not included in the original budget, and the Planning Commission saw a reduction in fees due to less activity. There was no ZBA activity so no fees were generated. The net reduction in revenue was \$108,505. Election expense was over estimated by \$12,500, and legal and professional expenses were reduced by \$25,000. Under Clerk expense an adjustment was made for overtime activity, and technology was reduced by \$6,000 because no new equipment was purchased. Building expense was reduced by \$4,000, and operations expense was reduced by \$8,500. There were no Planning Commission fees charged by Carlisle/Wortman, or SESC costs, and WCRC expenses were reduced by \$23,000 due to a grant, resulting in a net reduction of \$81,000 in expenditures. In the Public Safety fund there was an increase in revenue by \$5,000 due to interest on a larger cash reserve, and the transfer allocation to fire was reduced by 50%. In the Fire Department fund expected expenditures were reduced in every category. In the Building Department fund there was a reduction in revenue of \$19,000 for inspection fees, and legal and professional expenses were less than expected. In the Capital Improvement fund revenue was higher due to the sale of a fire truck, and in the Farmland fund total revenue was decreased by \$573 with an increase in legal and professional expenses due to underestimating activity for the year. **DiPietro moved approval of the 2009 budget amendments. Basch seconded the motion which was adopted unanimously.**

V.D. Resolution Adopting 2010 Budget

Moran reminded the Board a public hearing was held on the budget at their November meeting. Moran said the resolution sets forth those budget items previously identified without change and sets the tax rates and millage levies for the Township to actuate the budget. Allison noted an error on page two of the resolution under section seven. **Allison moved approval of the resolution adopting the 2010 General Appropriations Act with correction to section 7 changing the fiscal year from 2009 to 2010. DiPietro seconded the motion which was adopted unanimously.**

III. APPROVAL OF MINUTES

Corrections to the 11/16/09 minutes: On page 2 under item F in the first line strike “theoretical” and insert “preliminary” and in the second line after “and” insert “was told by City representatives”. **Basch moved approval of the November 16, 2009 meeting minutes as amended. Perry seconded the motion which was adopted unanimously.**

IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. Request for Annexation

Moran reminded the Board this request was tabled at their October meeting due to the question of whether property taxes were paid by the petitioner. DiPietro indicated taxes have been paid except for the winter 2009 taxes. The Township attorney noted the petition indicated ~~Deutsch Bank~~ as the owner of the parcel. ~~DiPietro checked the assessor’s records which indicated Duetsch bank as the current owner of the property.~~ **DiPietro moved to table based on clarification of ownership and payment of taxes. Allison seconded the motion which was adopted unanimously.**

B. Rezoning, PUD

Chris Priddy with Christopher Place Developers gave a brief introduction of the Verdura (formerly The Traditions) project. Priddy highlighted the changes to the project which include incorporation of one main central building, a reduction in the number of villa units from 14 to 9, and overall reduction in square footage. Priddy said the project has been driven by the current market but remains a senior living community using a rental fee business model. Priddy added the overall site impervious~~ness~~ has been reduced by 75,000 square feet with 227 units resulting in a smaller impact to the site. Allison reported on the Planning Commission’s resolution recommending approval of the amended area plan. DiPietro indicated she attended a neighbors meeting for the project which was very well received, and questions of concern regarding the flow of traffic on Geddes Road were adequately addressed. **DiPietro moved approval of the resolution approving amended PUD rezoning petition, amended area plan and ordaining PUD rezoning amendment Verdura and authorizing the supervisor to sign the PUD agreement. Basch seconded the motion which was adopted unanimously.**

Perry moved to advance item V.F.. DiPietro seconded the motion which was adopted unanimously.

V.F. Wind Turbine Discussion

Branigan outlined the most recent draft revisions to the proposed amendment. Branigan indicated they changed the maximum height to 200 feet, changed the permitted status within several districts, defined horizontal and vertical axis wind turbines, amended the sound pressure level limits, added conflict-resolution language, and improved language related to electromagnetic interference. The Board discussed at length the issues of infranoise and shadow flicker. The Board recommended removing the complaint resolution section. The Township attorney recommended adding language that the petitioner shall comply with all local, state and federal regulations including protection of endangered species and environmental concerns.

C. Natural Features Setback and Steep Slope Use Protection Ordinance Amendment

Branigan reported that Hamlin’s concerns have been addressed and language will need to be added to the ordinance. Allison gave a brief overview of the changes to the current ordinance and indicated the amended ordinance is less restrictive on homeowners. Perry commented that

the ordinance is very technical and may be difficult for a layperson to understand. **Allison moved to accept the Planning Commission's recommendation and approve the amendment to Chapter 74 Article VII Natural Features Setback and Steep Slope Use Protection Ordinance with removal of the word interrelationship on page 1 in section 1, on page 4 paragraph 2 in the last sentence remove "be directed to", and on page 7 at the end of paragraph vi add at the end of sentence "within 300 feet of the proposed disturbance."** Sedmak seconded the motion which was adopted unanimously.

Allison moved to return to the Wind Turbine discussion. DiPietro seconded the motion which was adopted unanimously. DiPietro moved to schedule a public hearing for the January meeting to allow the public to comment on the amended WESC ordinance with changes discussed tonight. Basch seconded the motion which was adopted unanimously.

D. Section 30-63 Ordinance Amendment

Moran reported this is the first reading of the police power ordinance. Moran indicated this amendment came about due to a recent problem involving the Township. Moran said **Tom Brau** had ~~applied for~~asked about a permit to burn his barn but was ~~told that was~~ not permitted, and ~~then he~~ burned the barn anyway. Moran indicated the ordinance allows the Township to collect charges for illegal and un-permitted activities. **DiPietro moved approval of the amendment to code section 30-63 adding charges for fire department services. Allison seconded the motion which was adopted unanimously.**

V. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS

A. Utilities Department Monthly Report

Judkins submitted a written report to the Board. Judkins also updated the Board on the status of the Dixboro lift station and the Clark Road water main.

B. Public Safety

- 1. Fire Department** - Chief Ericson submitted a written report to the Board.
- 2. Sheriff Department** - Sergeant P. Cook submitted a written report to the Board.

E. Resolution for Interfund Borrowing for PDR

Moran reported this is a proposal based upon current available interest rates to reduce the rate the Township is paying for interfund borrowing from the Utility Fund from 4% to 2.64%. **Allison moved approval of the amended interfund borrowing resolution. DiPietro seconded the motion which was adopted unanimously.**

G. Establish 2010 Meeting Schedule

Basch reported there is no school board election in May therefore the meeting date for the Planning Commission will need to be changed. **Basch moved to set the 2010 meeting dates as proposed with the change of setting the Planning Commission May meeting to Monday, May 3rd. Sedmak seconded the motion which was adopted unanimously.**

H. Campaign for Active Transportation Letter.

Moran reported this is a request to sign a letter to Congressman Blumenauer in support of the Active Community Transportation Act of 2009. There was no motion of support from the Board to sign the letter.

I. Approval of Liability Insurance Invoice

DiPietro moved approval to pay the invoice from MCM Group, Inc. in the amount of \$55,115 for liability insurance effective January 1, 2010 through January 1, 2011. Basch seconded the motion which was adopted unanimously.

J. Approval of Workers Compensation Insurance Invoice

DiPietro moved approval to pay the invoice from Accident Fund Insurance Company of America in the amount of \$24,548 for workers compensation insurance effective January 1, 2010. Allison seconded the motion which was adopted unanimously.

K. Supervisor's Report

Moran reported he continues to participate in the Dexter/Scio fire consolidation study but there have been no positive results to date. Moran also reported he was appointed to the WATS compensation commission, and the state has changed the time for filing fire protection reports of state buildings. Moran noted the reduction in Ypsilanti Township deputies due to a failed millage presents a challenging situation, and calls for service will be affected in some areas of the County, but not in Ann Arbor Township. Moran discussed with the Board the option of complete or partial electronic packets.

L. Clerk's Report

Basch reported the Board may want to consider posting electronic packets on the website since sending large files by email can be cumbersome. Basch also reported the Board didn't formally approve a salary adjustment for Hamlin's reduced work week. DiPietro said she didn't think it was appropriate for the Board to address this issue and recommended it be deferred to the personnel committee. **Basch moved that the personnel committee meet to give direction to the payroll clerk on how to address the 4 day work week and reduction in comp time. Dieterle seconded the motion which was adopted unanimously.**

M. Treasurer's Report - DiPietro submitted a written report to the Board.

N. Planning Commission - Allison reported on the Planning Commission meeting held on December 7, 2009. The minutes were included in the Board's packets.

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

P. Farmland Preservation Committee

Allison reported the committee is working on PDR purchases and the filing deadline for the FFPP is February 17, 2010.

Q. Approval of Claims Listings

Allison moved approval of the claims listings for December 1, 2009 in the amount of \$152,954.68. Dieterle seconded the motion which was adopted unanimously. Sedmak moved approval of the claims listing for December 16, 2009 in the amount of \$246,617.54. DiPietro seconded the motion which was adopted unanimously.

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

VII. NON-AGENDA ITEMS - None

VIII. PUBLIC COMMENT - None

IX. ADJOURNMENT - DiPietro moved to adjourn the meeting at 10:45 p.m.