



**ACME TOWNSHIP REGULAR BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
October 2, 2007, 6:30 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE AT 6:32 p.m.

Members present: B. Boltres, D. Dunville, W. Kladder, P. Scott, E. Takayama, F. Zarafonitis
Members excused: None
Staff present: S. Vreeland, Township Manager/Recording Secretary
J. Hull, Zoning Administrator
S. Zollinger, Deputy Clerk
C. Bzdok, Legal Counsel

Motion by Takayama, support by Scott to enter closed session to discuss pending litigation and settlement strategy in CCAT v. Acme Township v. The Village at Grand Traverse LLC and Meijer Inc. and Meijer Inc. v. Acme Township because discussion in open session could have a detrimental impact on the financial interests of the township. Motion carried by unanimous roll call vote.

Public meeting recessed at 6:34 p.m.

Motion by Scott, support by Takayama to resume public session at 7:13 p.m. Motion carried unanimously.

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

APPROVAL OF AGENDA: On the Consent Calendar, the Shoreline and Infrastructure Advisory meeting minutes were moved from “action” to “receive and file.” New Business item 7 was added to discuss a possible informational meeting regarding proposed Zoning Ordinance Amendment #138.

Motion by Dunville, support by Zarafonitis to approve the agenda as presented. Motion carried unanimously.

A. CONSENT CALENDAR:

Motion by Zarafonitis, support by Dunville to approve the Consent Calendar as presented, including:

RECEIVE AND FILE:

1. **Treasurer's Report** as of 08/31/07
2. **Clerk's Report** as 09/08/07
3. Draft Unapproved Minutes of
 - a. **09/24/07 Planning Commission** meeting
 - b. **09/12/07 Shoreline Advisory** meeting minutes
 - c. **09/18/07 Infrastructure** Advisory meeting

ACTION:

4. Approved:
 - a. **09/04/07** Township Board meeting minutes
 - b. **09/12/07 Special Board** meeting minutes
 - c. **09/26/07 Special Board** meeting
5. Approved: **Accounts Payable** of \$82,154.58 through 09/26/07

Motion carried by unanimous roll call vote.

B. LIMITED PUBLIC COMMENT:

Noelle Knopf, 5795 US 31 N asked that the Board address having Olson, Bzdok & Howard as the township's legal counsel. She expressed disappointment in the press release issued by the township regarding the Court of Appeals decision rendered approximately two weeks ago. In particular she took exception to the second main point in the release, which she said made it sound as if the appellate court granted a right that the township had along, which she alleged was not part of the lawsuit, and she feels was phrased in a way condemning the board of which she was a member. Ms. Knopf also felt that the statements regarding the third main point were inaccurate in as much as they implied that some of the conflict of interest claims might not have merit. She categorized Bzdok's statements as inflammatory and blocking progress in settling the outstanding litigation. Ms. Knopf feels that the change in Supervisor is a good opportunity to review legal representation.

Andy Andres Jr, Barlow Street, Traverse City recently attended a visioning session for the Village of Northport. The sessions are being conducted by an MSU agency. After the meeting Mr. Andres asked the presenter why they aren't working with Acme Township; the reply was that our situation was too political. Mr. Andres feels that the community needs to focus on design issues rather than politics to be able to move forward.

C. CORRESPONDENCE: None.

D. SPECIAL PRESENTATIONS: None.

E. PUBLIC HEARINGS:

1. **Consider proposed amendments to the Acme Township Sewer Operation and Maintenance Ordinance:**

And

2. **Consider proposed amendment to the Acme Township Water Service and Use Ordinance:** Chris Buday, DPW Director stated that the proposed sewer and water service ordinance amendments would allow new development to finance the cost of their sewer and water benefits fees over a period of time. Several developers have asked in the past if this would be possible, and told it would not because it had never been done before. A large commercial facility can be faced with several thousand dollars worth of hookup fees before they can begin construction. Conversely, complete deferment of payment can sometimes result in never receiving it at all. The DPW is offering flexibility to the township in the proposed ordinance amendment, but is not requiring that all townships decide either for or against the measure. It would only apply to developments purchasing a minimum of five benefits, and interest would be charged on unpaid balances. There would be an up-front payment of 20% of the total cost. The Chamber of Commerce supports the measure and helped mediate its development. They say that some businesses have been discouraged from locating in the area due to the high start-up costs for infrastructure service.

Takayama asked if a lien would be placed on the development site up front if a deferred payment schedule were adopted. Mr. Buday stated that if payments were missed the township could demand immediate full payment. If they didn't pay, the developer could lose the property to tax sale. The purchaser would have to pay off the full obligation upon acquisition. No lien is actually filed with the Register of Deeds.

Zarafonitis can see the benefits of the process, but if extended payment privileges are granted to one property, how could they reasonably be denied to another? What would happen to the township if an establishment goes out of business and the property is not sold for a length of time? Mr. Buday stated that the property would go up for tax sale if benefit fees were not paid. Benefit rights are attached to property and run with the land through changes of ownership. They do not leave the premises if the tenant relocates.

Zarafonitis asked what would happen if a structure changes use, and the new use requires fewer sewer benefits than the old use? Mr. Buday responded that the new use would still have to pay off the total number of benefits originally purchased and all of them would remain with the land, but the new use would only be charged ongoing user fees for those actually being used at the time. It is also important to note that the amount of capacity available to the township at the treatment plant is determined based on total number of benefits sold, not necessarily actual flows.

Kladder asked what would happen if a property needed a certain amount of sewer benefits at the current time, but anticipated a future need for more and wanted to reserve them in advance. Mr. Buday stated that the DPW's policy is to limit such activity, because having many unused benefits is not good. Current policy is that benefits must be used (construction must be performed) within a year of purchase.

Public Hearing opened and closed at 7:38 p.m. for the proposed sewer ordinance amendment, there being no public comment.

Takayama asked Bzdok if he saw any potential negatives to adopting the ordinance amendment. Bzdok stated that the ordinance is well-drafted from a technical legal perspective, and any questions are completely policy-related. He suspects that once one or two businesses are allowed to defer payments, all businesses will request to do so, delaying the future point in time when the township has paid off past system expansion debt and can reduce purchase prices accordingly. It may also create additional administrative work. Takayama is concerned over the effect on workload and staffing, and on funding bond payments for system expansions. If the costs are always up front and the revenues are always deferred, there could be a problem.

Boltres believes the measure would encourage business development, recognizing that the high initial fees can be difficult for new business. Kladder is uncertain whether it encourages business development or simply makes it easier. His initial reaction is that the township needs the cash flow now from benefits purchases to meet current debt obligations. On the other hand, also receiving interest at 7.5% could help pay those debt obligations in the long run.

Mr. Buday stated that he does not anticipate a need for staff additions. Some townships already have similar measures, so in part they are seeking to standardize conditions between townships. This would reduce one facet of competition for new business between townships. A five year payment spread is not a very long time period. He does not have a strong feeling one way or the other as to whether the township should adopt it, and even if the township does not feel it could grant a request in the immediate future, having the provisions in the ordinance could be handy later on if we felt we could afford it. The ordinance is written to permit but not compel the township to allow payments.

Takayama feels that until our infrastructure cash flow picture improves, perhaps it would be wise to defer adopting the proposed measures. Scott disagreed, feeling that if it encourages development in the long run the township comes out well. 20% of the total fee up front would be better than receiving nothing if businesses locate elsewhere. Concerns over precedent and the idea that granting payments to one development likely would indicate granting them to all were discussed. Dunville supports the idea. Zarafonitis tended more towards Takayama's point of view that a brief deferment until our sewer fund balance is stronger would be good. Kladder would support adopting the ordinance but specifying in the motion that no payment plans will be approved until such time as the Board feels comfortable with the Sewer Fund balance and cash flow picture. Bzdok suggested that if the board feels as Kladder does, it would be better creating a reminder to look at the ordinance again after a specified interval of time rather than adopting it immediately.

Motion by Takayama, support by Boltres to "bookmark" the proposed water and sewer

ordinance amendments to be reviewed again in six (6) months to see if it is economically feasible to adopt them.

Dunville feels that six months is too long to wait, and would prefer to consider the ordinance again in three months. Takayama stated that there would be nothing to prevent looking at them sooner than six months; the motion as stated would require looking at them again in no more than six months. Paul stated that he does not believe there will be a substantial difference in six months versus today, and noted that other townships have adopted or will adopt the measure. Encouraging purchase of sewer benefits can only help the township's financial picture.

Boltres retracted his support of the motion.

Motion by Scott, support by Dunville to adopt the proposed sewer ordinance amendment. Motion carried by a vote of 4 in favor (Boltres, Dunville, Kladder, Scott) and 2 opposed (Takayama, Zarafonitis).

Public Hearing for water ordinance amendment opened and closed at 7:56 p.m., there being no public comment.

Motion by Scott, support by Dunville to adopt the proposed water ordinance amendment. Motion carried by a vote of 5 in favor (Boltres, Dunville, Kladder, Scott, Takayama) and 1 opposed (Zarafonitis).

F. NEW BUSINESS:

- 1. Discuss draft of proposed revised Cemetery Ordinance:** Dunville provided a copy of the proposed cemetery ordinance revision for the Board in their packets. Bzdok has reviewed the ordinance and finds no difficulties with it. Cost to purchase a plot would rise from \$100 to \$200, and a \$50 one-time perpetual care charge would be instituted to help cover maintenance costs.

Scott is concerned with the provision that nobody carry a firearm in a cemetery unless certain limited law enforcement officers sign off; he feels any law enforcement officer should be able to grant approval. Boltres feels the entire restriction should be removed in respect of the Second Amendment. Many Board members noted that emotions run high at funerals, and he has been incensed by anti-war demonstrations at military funerals.

Kladder asked how Dunville researched local cemetery plot pricing. She called other local townships. Five local townships operate cemeteries and charge about \$200 each. The City of Traverse City charges \$400 and upwards for special areas (infants, cremains, segregated sections by religion), but they also have staff on premises all the time. They have a perpetual care charge that is higher than that proposed for the township.

Kladder feels that "perpetual care" will create a public perception of a certain level of service by township staff. He isn't sure what that level would be, and right now we do little more than mow. Stones are not maintained or repaired by us. Kladder would propose incorporating the \$50 perpetual care amount into the purchase price, but set that amount aside to create an endowment for future capital expenditures in the cemeteries. Perhaps only 80% of the interest earned would be spent, so the fund would grow over time. He is told approximately 400 sites remain unsold at present, which would generate a total of \$20,000 to start an endowment to offset future costs. Boltres and Dunville appreciated the idea.

Kladder called for some general discussion about the proposed rate. Boltres feels our current rate is clearly too low, and asked for a spreadsheet on how we compare to other localities. Dunville stated that her figures were based on comparisons done last year. She and Deputy Clerk Sharma Zollinger will refresh the research and provide a spreadsheet for the next

meeting.

Dunville drew attention to the proposed rules and regulations handout, and would also like to have signs with the rules erected in each cemetery. A cost estimate has been provided. This item was not proposed in the current year budget. Zollinger noted that the sign would differ from the handout, the former being focused tightly on conduct while on the premises and the latter being more comprehensive.

Dunville asked for discussion about the proposed raise for the township Sexton, Ernie Keech. There were no objections to the proposed figure. She thanked Zollinger for her work in compiling the ordinance.

2. Change next regular Board meeting date from November 6 to November 13 due to election:

Motion by Takayama, support by Zarafonitis to change the November meeting date to November 13. Motion carried unanimously.

3. Consider hiring an independent planning consultant to assist with the review of SUP application #2007-05P, Bates Crossing Planned Shopping Center at Planning Commission request: Hull reported that the Planning Commission is currently processing an application for a planned shopping center of approximately 271,000 sq. ft. at the intersection of M-72 and Bates Road. The township has only processed one similar application in the past, and for that application the township employed a planning consultant to ensure that the application was reviewed appropriately. The Planning Commission would like to ensure that the two applications are treated consistently, and is asking the Board to contract for such assistance to process the current application. A second question is whether to bid the business out, or to work with John Iacoangeli from Beckett & Raeder, who assisted with the previous application. While the township has a general policy to bid such contracts, there could be a benefit from using Mr. Iacoangeli again because he is known to us and knows our regulations and process well already. He is available and willing to perform the work at the same rate as for the previous application.

Vreeland was asked to comment about the bidding process. A request for proposals (RFP) would be prepared, distributed liberally, responses would be evaluated by a group of the Board's choosing, interviews held and a recommendation for a contract made to the Board. This process would cause a processing delay for the applicant. She also mentioned feedback from past bidders that it takes time, effort and money to prepare a bid. Continually preparing bids for piecemeal projects becomes tiresome and unworthy the effort in some cases. It's hard to say if the people who have continually bid and been rejected before would bid again.

Scott asked if anyone representing the applicant was present this evening; there is not. Scott would appreciate knowing whether they would prefer the contract be put out for bid or to use Mr. Iacoangeli. Corpe and Zarafonitis recall that Doug Mansfield from Mansfield Associates would prefer that nobody be hired. Hull noted that Mr. Iacoangeli was hired originally through an RFP and bidding process. Takayama was involved in the selection process, and recalls that he was not the lowest bidder but was extremely well experienced and qualified. As a business owner he has found that the lowest bidder often does not provide good value. Zarafonitis feels Mr. Iacoangeli has done a good job for us, is familiar with us, and should be hired again. Scott remains concerned about not using a bid process again. Bzdok was asked for his opinion; he stated it is a policy matter. He has not worked closely with Mr. Iacoangeli on plan review but was comfortable defending his work. It might cause a processing delay of six weeks or so for a different provider to come up to speed on the township's requirements. Takayama appreciated Vreeland's mention that asking for rebids on every project can cause some firms to weary of the process and drop out.

Motion by Zarafonitis, support by Takayama to hire John Iacoangeli, Beckett & Raeder to help the township review the Bates Crossing SUP application. Motion carried by a vote of 4 in favor (Boltres, Kladder, Takayama, Zarafonitis) and 2 opposed (Dunville, Scott).

4. **Discuss request from Metro Fire to extend summer duty crew season through the end of October:**

Motion by Scott, support by Zarafonitis to allow summer duty crew hours to be offered until all budgeted hours are expended with the exception of 112 hours for use in June 2008 at the discretion of the fire command.

Kladder asked if it would be wise to specifically save up some hours for the Christmas season, when the enhanced risk of Christmas tree fires exists. Most felt that there is always a need, and providing all of the coverage budgeted for would be a good idea. Vreeland suggested that the motion can work as presented, with the Board specifying that some hours be reserved for Christmastime. The Board generally felt that distribution of the hours should be at Metro's discretion.

Motion carried by unanimous roll call vote.

5. **Discuss recommendation regarding Road Commission:** The County Commission is discussing whether or not to expand the Road Commission from three to five members, and whether or not to have them remain an appointed body or become an elected body. Scott feels that having Road Commissioners elected rather than appointed makes them more accountable to the public in their actions and spending. Zarafonitis agreed, and feels in particular that the policy regarding payment for health insurance coverage should be changed. Takayama agreed that the benefits are tremendous for the job.

The Road Commission itself has said it feels three members are more efficient. Scott feels that if membership is elected the number doesn't matter because they will tend to be spread out geographically. Takayama believes that five members would provide better representation, that they should be elected, and that the lifetime health benefits should be eliminated.

County Commissioner Larry Inman stated that the County feels the question should be discussed now, as it has come up from time to time. Around 1998 the question of moving to an elected board was discussed, mostly because County Commissioners were receiving complaints about how the Road Commissioners performed their duties at home. All of the sitting Road Commissioners were removed and replaced. Inman noted that no County funds are used towards the Road Commission; all of the funding comes from the state level with membership subject to local appointment. Since 1998 and the new member installation Inman has received few complaints about the way Road Commissioners perform their duties and interact with the public, although complaints about road conditions and funding continue. Legislation has recently been passed in Lansing permitting expansion to five members, which is what has triggered the review. Research indicates that about half of road commissions are elected and half appointed. The County Commission was surprised to discover the current level of benefits and they will be addressing it; Inman feels personally that health insurance for elected officials is becoming a thing of the past.

Only five members of the public attended a public input session; all five favored an elected road commission. If the positions are appointed the County Commissioners feel like they have some influence on their conduct, and they are required to make a monthly report. This might or might not be true were they elected. Another question is whether an individual from a small or outlying area of the county would have an equal chance in an election versus someone from a larger central township. Currently the law does not allow road commission

districts to be created with individuals representing specific geographic areas. When its time to make a new appointment the County tries to select a new member from a geographic area that has not been represented before or recently. In 1998 the County established a 2-term limit; each term is 6 years. Inman personally feels a five member board would function better but he has no strong preference. There has not been a problem obtaining a quorum for meetings with only three.

After input is received there will be further discussion by the County Commission. Inman noted that if the decision is made to move to an elected board there is a procedure that takes some time. It is a partisan election with significant advance notice required to file for primary and general elections. Terms would remain at 6 years. As the current staggered terms of appointed members expire their slot would be placed on a ballot; they would not all be immediately voted. He believes the first opening would come in three years when Jay Hooper's current term expires.

Funding comes from state gasoline taxes. All of the tax generated goes to Lansing. Some is earmarked for state roads and bridges; some is allocated to each Road Commission for employment and benefits, road maintenance and road improvement according to a formula.

Scott asked if the County can fire a Road Commissioner; Inman stated that a Road Commissioner can be removed from office for public cause. Other than through creation of the term limits, no Commissioner has been removed. The County does keep track of the attendance and performance of all appointees. If there are concerns they meet with the appointees, and if their performance continues to be poor they are not reappointed.

Scott didn't know that the County could remove Commissioners if needed, so there is a current level of accountability. Given this he would lean towards continued appointment and is indifferent about the number. Takayama would prefer three elected individuals and the lifetime health benefits eliminated. Boltres supports an elected Commission but is unconcerned with the number. Dunville and Zarafonitis support an elected 3-member Commission. Zarafonitis believes that health benefits during office are okay but not after they leave office. Kladder favors five elected members. Scott feels that retaining the ability to appoint from a geographic area would work better if districts can't be formed in an elected scenario. Inman noted that the County would have no authority over elected officials; this caused Takayama, Dunville and Zarafonitis to change their opinion to favoring continued appointment. Boltres does not believe the County has exercised a great deal of oversight to date and did not change his opinion. Kladder also favors appointment at this point.

6. **Discuss funding for septage treatment plan bond payments**: Kladder asked Mr. Buday for some form of reassurance that problems with septage treatment plant cash flow issues are improving and on the way towards resolution. Mr. Buday stated that at the beginning of the year revenue projections were somewhat positive, particularly due to projected revenues for septage from Bay Harbor at five loads per day. The number of loads per day started dropping in the spring towards the current 2.5 - 3 loads per day on average. There is no contractual minimum while there was a 5 load/day maximum. Site remediation is underway and it has been a dry summer. Waste is also going to multiple locations throughout the state. Revenues will fall short of projections by about \$450,000 from the Bay Harbor source. The DPW is seeking alternative revenue sources. Plant turnover to OMI on a fully operational level was delayed until August which makes it possible to accept more special wastes and enhance revenues. New revenues are not expected to be on line for at least 90 days.

Mr. Buday obtained state records on septage and holding tank hauling for past years, and could not account for about 2 million gallons of waste. They looked for other facilities that might be accepting the waste; there are some but not many. They have looked at how much was previously land applied and found a 4 million gallon shortage between what has been pumped and what has been documented as delivered to various location. There seems to be a

state law and local ordinance enforcement issue to be addressed. Receipt of another 2 million gallons of waste would cover revenue deficits. Dean Bott from the County projects a net deficit of about \$200,000 through the end of the year, with shorter term larger deficits due to cash flow. They are receiving more grease waste than previously anticipated, but the total amount of grease anticipated is not enough to make a big difference.

The County is willing to help short-term, but they don't want to continually bail the system out financially. There is discussion about having a third party review the business plan and financial projections and determine whether things will work out ultimately as currently structured or whether changes need to be made. Mr. Buday is less concerned with the history of how we arrived at this point and more with what will happen going forward. Future flow streams must take into account the biological balance of both the septage treatment plant and the regional wastewater treatment plant to which the treated flows ultimately go.

Kladder believes that the County is looking for assurance that the townships guaranteeing the plant construction bonds are working on a long-term plan before they offer short-term assistance. Inman stated that County Administrator Dennis Aloia briefed the Commission and provided some five year projections of both revenue and expenditure increases as flow volumes increase. Projections through 2011 are a high probability that the facility will lose up to \$250,000 per year. Last year's loss was about \$100,000, which was loaned to the townships by the County. The proposed \$200,000 - \$250,000 loan for this year includes that previous \$100,000, and came before the County realized that the plant also owes the city about \$148,000. The County guaranteed the bonds and is willing to consider another loan to the townships on the condition that a master plan is developed to prevent mounting losses through current operating practices over the next five years. If we can't meet bond payments now, how could we meet them plus cover operating losses? If necessary the County would assemble the boards of the five townships involved in one joint meeting to discuss the situation. The County realizes that under the best of the conditions it would take several years to maximize revenue from a new facility. A commercial lender would have required more cash down and/or would have provided for gradually increasing payments. The County is looking into whether the bond could be refinanced with a graduated payment schedule, but so far it appears this option is not available to governmental units because their bonds are covered by their "full faith and credit." Inman is uncertain if a new loan compounding debt with more debt is really the best idea. He believes the townships are discussing simply covering the shortfall from their sewer funds instead.

Mr. Buday stated that the payment to the City was made in April and the first \$100,000 loan is due to be paid off soon. He suggested the townships might consider loaning money to the septage plant to be repaid with interest at a certain point in time. Takayama wants to know why the townships are not pursuing the companies that provided extremely overstated revenue and flow projections, creating the problem in the first place. He is not generally in favor of litigation, but perhaps they should be sued to make up the shortfalls. Scott concurred. Boltres feels that whoever created the financial projections (Gourdie Fraser and Michael Houlihan) should be fired and pursued for the required funds. He feels closing the facility would really be the best thing, but that this isn't feasible. Mr. Buday believes that hauler enforcement needs to be pursued, noting that it can cost a hauler their license if they are found to be violating the law. Local regulations stricter than state regulations are enforceable. We have already adopted an ordinance requiring that septage generated within 15 miles of the plant must be hauled to the plant. Land application is not permitted anywhere in Grand Traverse County anymore. Mr. Buday's figures have demonstrated a trend towards hauling to wastewater treatment plants. Zarafonitis stated that he was charged higher rates to have his grease purportedly hauled to the septage plant before it started accepting grease in August.

Kladder called for Board discussion on the relative merits of seeking another loan from the County, if they are willing, or funding the shortfall through the township. Boltres stated that continually having to fund shortfalls would break the bank. He favors meeting with all of the

other involved townships to come up with a long range plan. We have perhaps \$500,000 in the sewer fund. The bond payments are made May 1 and November 1. Dunville, Scott, and Takayama concurred with making the payment in the short-term and having the joint meeting to discuss a long-term strategy. Takayama feels we should account closely for the extra expenditures and look at pursuing reimbursement from those responsible for the misleading projections. Bzdok feels that the DPW should compel all septage from a 15-mile radius to come to the plant to enhance revenue streams. Takayama suggested sending a letter to landowners with over a certain number of acres informing them that if they accept land application they will be fined. Mr. Buday noted that some haulers are land applying waste outside of Grand Traverse County as an alternative.

Motion by Boltres, support by Scott to pay Acme's approximate \$25,200 share of the total septage bond payment shortfall from township funds and to immediately schedule a joint meeting of the five township Supervisors, Treasurers and other Board members who desire to discuss a long-range solution. Motion carried by unanimous roll call vote.

7. Consider request for proposed public meeting hosted by the Planning Commission to inform and answer questions regarding Proposed Zoning Ordinance Amendment #138: Planning Commission Chair Matthew Vermetten stated that after discussions with numerous individuals, while he is comfortable with proposed Zoning Ordinance Amendment #138 as approved, there has been a lack of effective education and understanding by the public. He had a petition circulator come to his door who admitted that neither he nor anyone he knew had actually read the proposed ordinance. The matter is going to referendum, and people are clearly uninformed about the ordinance. The Planning Commission, planning consultant, legal counsel and staff would like to host a meeting to present and explain the proposed new development options, the other development options that already exist and will continue to exist in the ordinance, and the sections of the ordinance that would be replaced, and to answer questions. He would like to use a postcard mailing to get the word out, as he was impressed by the recent Shoreline Preservation visioning mailing. Estimated cost would be \$800 to \$1,000. The proposed meeting date is Tuesday, October 16.

Kladder asked who would be running the meeting. The township needs to remain neutral, informing rather than advocating. He fears that if the Planning Commission runs the meeting it will be placed on the defensive by some of the public participants and the meeting could devolve into an unproductive debate. He as Chair could field questions and direct them to the staffer most appropriate to answer the question. There would be visual displays of some nature to help demonstrate key principles. Takayama echoed Kladder's concerns, and asked why the whole Planning Commission would need to be at the front of the meeting room. Perhaps only the Chair, staff, legal counsel and consultant could sit up front and the rest of the Commission could be present in the audience seats. It is sometimes daunting for a member of the public to pose a question to a large body facing them from a table. Vermetten responded that having the Commission at the table does not necessarily imply an adversarial position. The entire Commission recommended the amendment and he would prefer to have them all represented at the table, but he will accede to the direction of the Board. He noted that one Commissioner developed a concern about the ordinance as proposed which was reconsidered at length and the original decision was ratified again by the Commission. Vermetten believes that the people with questions won't be shy, but we can have multiple modes of question submission such as written.

Takayama asked if a larger meeting venue such as the Williamsburg might be needed. Vermetten noted that the last time a public hearing was scheduled there on this matter very few people showed up. He would rather have this space be standing room only than have a big empty facility.

Kladder asked what the risks might be if the meeting inadvertently dissolved into debate or advocacy. Bzdok stated that he strongly supports the idea of the meeting and he has faith

based in experience with Vermetten's ability to control the meeting. He and his staff will also be present to prevent a wrong turn. The Board supported the principle of the meeting.

Vreeland stated that she expects the mailing cost for a small black and white postcard to run up to \$1,000, and that it can be funded from the existing Planning & Zoning budget, supplies and postage line item.

Motion by Scott, support by Dunville to approve expenditure of up to \$1,000 from the Planning & Zoning budget for a postcard mailing inviting the public to an informational meeting regarding Ordinance Amendment #138. Motion carried by unanimous roll call vote.

G. OLD BUSINESS:

- 1. Discuss draft of proposed personnel policy manual:** Dunville noted receipt of Vreeland's memo and stated she agrees with many of its points. The Board noted that a number of typographical and grammatical corrections need to be made.
- 2. Discuss request from G.T. County for additional pre-paid DPW operating costs:** Boltres opposed this request when it was first made, and still opposes it now. He indicated he would provide additional information for the next Board meeting.

H. REPORTS

- 1. Parks and Maintenance – Tom Henkel:** received and filed.
- 2. Sheriff's Deputy – Mike Matteucci:** received and filed.

I. PUBLIC COMMENT & OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Andy Andres, Sr., M-72 East stated that he has heard John Iacoangeli's name mentioned many times this evening. He does not believe that his review of the plans for the Meijer site has been very effective; by his count it would take seven turns for a semi to access their loading docks as designed. There also was discussion of a potential playground near the loading docks. He feels it is not best for a planner from Ann Arbor to help us with the review when there is qualified local help. Perhaps it is not truly necessary in relation to the Bates Crossing application.

Steve Smith, The Village at Grand Traverse LLC., asked about the sewer ordinance amendment, and his understanding that the Board has the discretion to decide whether or not a business buying 5 or more benefits can have an extended payment schedule. Each project is considered on a case by case basis.

Scott stated that at this point, the only way Bertha Vos will stay open after this school year is if the school board reverses its current position. He would like for the township to look into what it would take for the township to re-acquire Bertha Vos from the school system and potentially redistricting to keep the school open. Bzdok stated that he sees no reason why the Board could not work on this issue. The school once belonged to the township, and Dunville probably has the connections to find out what could be done in either regard.

Kladder noted that Dr. Soji Adelaja from the MSU Land Policy Institute will be speaking at noon at the township hall on Thursday about farmland preservation.

Meeting adjourned at 10:00 p.m.