



ACME TOWNSHIP REGULAR BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, October 6, 2009 6:30 P.M.

MEETING CALLED TO ORDER WITH THE PLEDGE OF ALLEGIANCE AT 6:30 P.M.

Members present: D. Dunville, R. Hardin, W. Kladder, P. Scott, L. Wikle, F. Zarafonitis
Members excused: E. Takayama
Staff present: N. Edwardson, Recording Secretary
J. Jocks, Legal Counsel

CLOSED SESSION – Discuss attorney/client privileged document relative to employee ADA issue that is exempt from disclosure under the Freedom of Information Act 442 of 1976, MCL 15.243(g) and 15.243(l) as permitted by the Open Meetings Act 267 of 1976, MCL 15.268(h).

Motion by Hardin, support by Dunville to enter closed session to discuss attorney/client privileged memo relative to issues concerning the Americans with Disabilities Act as permitted by the Open Meetings Act 267 of 1976, MCL 15.268(h) which allows closed sessions for discussion of documents exempt from disclosure under the Freedom of Information Act 442 of 1976. Motion carried by unanimous roll call vote.

Open session recessed at 6:32 p.m.

Motion by Hardin, support by Scott to reconvene open session at 7:00 p.m. Motion carried by unanimous roll call vote.

Motion by Zarafonitis, support by Scott to move that based on the discussion in closed session, we direct the Township Personnel Committee to carry out the recommendations set out in the attorney/client privileged memo concerning Americans with Disabilities Act issues, and in addition we hire Rachel Roe, of Smith, Haughey, Rice and Roegge, to assist the Committee in carrying out those recommendations. Motion carried by unanimous roll call vote.

A. STUDY SESSION: None

B. LIMITED PUBLIC COMMENT:

Gene Veliquette, 8369 Elk Lake Road in Whitewater Township, thanked Planning Commissioner, Bob Carstens for his generous contributions to the township. He thanked the Board for the opportunity to comment on issues affecting Acme Township. He expressed a concern if the sewer fund declines \$28,000/month it only has 13 months before it will have a negative balance. He also supports a reasonable wind ordinance and the reinstatement of SUP 2004-19P. Mr. Veliquette provided a **written copy** of his comments.

Jeff Stanley, 6632 Deepwater Point Road, President of the Acme Business Association, read a **written copy** of his comments regarding development and the Village of Grand Traverse. Copies were provided to the Board.

C. APPROVAL OF AGENDA: Motion by Dunville, support by Scott to approve the agenda as amended to remove Metro Emergency Services Newsletter from Receive and File and place under Reports, and also Letter supporting Multi-jurisdictional Energy Block Grant to Special

Presentations. Motion carried unanimously.

D. INQUIRY AS TO CONFLICTS OF INTEREST: None noted

E. CONSENT CALENDAR:

Motion by Scott , support by Dunville to approve the Consent Calendar as amended, including:

RECEIVE AND FILE:

1. **Treasurer's Report** as of **08-28-09**
2. **Clerk's Report** as of **09-29-09**
3. Draft Unapproved Meeting Minutes:
 - a. Planning Commission **09-28-09**
 - b. Metro Emergency Services **08-25-09**
 - c. Parks & Recreation Advisory **09-29-09**
4. **Metro Emergency Services Newsletter**

ACTION – Consider approval:

5. **Township Board meeting minutes of 09-01-09**
6. **Accounts Payable** of \$67,993.73 through 09-29-09 (recommend approval: Dunville)
7. **Letter to G.T. County Equalization** supporting 2010 county aerial photography update
8. **CORRECTED Resolution #R-2009-20** – acceptance of MDNR Trust Fund Grant for Acme Shoreline Preservation – Phase I
9. **Letter supporting multi-jurisdictional Energy Block Grant** for Septage Treatment Plant

Motion carried by unanimous roll call vote.

F. SPECIAL PRESENTATIONS:

1. John Sych, County Planning Director, talked about **Energy Efficiency & Conservation Block Grant – Letter of Support.** Sych is requesting a letter of support for a multi-jurisdiction Energy Efficiency & Conservation Block grant by Grand Traverse County, City of Traverse City and Board of Public Works. He said the State of Michigan Bureau of Energy Systems has announced a grant competition for local governments. The program supports energy efficiency and conservation strategies, audits, incentive programs, recycling programs, transportation-sector energy improvements, government building renewable energy. He said grants do not require a match. The State's goal is to award 115 grants, and with that funding, make energy efficient improvements at 900 government buildings. The grant applications are due on October 22. The State will then take another 30-45 days to make funding awards. Sych said there are seven County buildings targeted for improvements, three city buildings and the Septage Treatment Plant. The improvements are for lighting and boiler replacement/solar panels.

Motion by Scott, supported by Zarafonitis to submit the Energy Efficiency & Conservation Block Grant – Letter of Support. Motion carried unanimously.

G. REPORTS:

1. **Sheriff's Deputy** – Mike Matteucci: Matteucci was unable to comment as he was responding to a call.
2. **County Commissioner's Report:** – Larry Inman: Inman said that recent activities have involved working on the Budget. As in all government units we are struggling to have a balanced budget. He said there is about one million less in revenue than in 2009, which has somewhat to do with shortfalls from the State. The construction code fees are down. We have been deliberating for the last eight weeks and have come up with moving \$950,000.00

from General Fund to help with the 2010 Budget. Inman commented on working with Kladder to get fire education back into the 2010 Metro-Fire budget which they were able to do. He also talked about H1N1 influenza plan for the county.

3. **Parks and Maintenance** – Tom Henkel: received and filed
4. **Zoning Administrator** – John Hull: received and filed
5. **Metro Emergency Services Newsletter**: Hardin said that he has had several residents ask him where the fire stations are located in the County. He does not know and suggested having them listed in the newsletter. Kladder will offer the suggestion to Troy Holiday, Captain of Station 8 here in Acme, who also writes the Newsletter.

H. CORRESPONDENCE:

1. **Report from the Acme Business Association**: received and filed.

I. PUBLIC HEARINGS: None

J. OLD BUSINESS:

1. **Septage Treatment Plant update**

Kladder commented that he didn't have much more to add to Inman's report. He said we recently signed an agreement with Bay Harbor. The new waste that is coming in from Bay Harbor amounts to 27,000 gallons a day and the other waste from Bay Harbor is 69,000 gallons a day. This waste is brought in 7 days a week.

Kladder said he was very pleased that the fire education program with Metro-Fire was going to continue. He said education must come first.

2. **Phragmites Eradication Update**

Kladder said that 140 "spots" of Phragmites were identified. We then had to contact the owners for permission to survey and treat. This was a very time consuming effort as owners were sometimes in other states. Kladder said we were able to get all but 2-3. Beginning on Monday, October 5, Wildlife and Wetlands Solutions began chemically spraying the patches. He said there were two main areas we were unable to treat, Petobego Marsh Reserve and across from Burger King, Holiday Road. Michigan Department of Transportation (MDOT) will treat next fall. We just received permission from MDOT to do by Burger King around six tonight. It was too late to do. Kladder said that after herbicide treatment the stems turn brown. The stems can be cut and removed from the shoreline to open up areas previously infested. In most cases, this requires a separate permit from the Department of Environment Quality. The state legislature did not move quickly enough to appropriate the grant funds for which we applied for. Kladder said that we went ahead on our own using township general funds.

3. **Update on new township website**

Kladder showed a "work in progress" picture of the new website. There is still more to be done.

K. NEW BUSINESS:

1. **Consider amendment to Fee Escrow Policy**

Vreeland had prepared a memo regarding a proposed amendment to the Fee Escrow Policy. The policy was originally adopted December 1, 2004, and was updated once on June 7, 2005. Currently the policy specifies that if fees are past due, any activity relating to processing the application will cease until they are brought current. However, it does not currently address how to handle a situation in which fees are overdue for a prolonged period of time. The proposal adds language stating that if fees for a pending matter become more than 90 days overdue, the applicant is given written notice and does not comply within 30 days, the Board can declare the application completely lapsed. If this were to occur and the applicant wished to move forward they would have to submit a new application and begin the process again. After a brief discussion Scott entertained a motion.

Motion by Scott, seconded by Dunville to adopt the proposed revision to the Fee Escrow Policy as amended to reduce the 90 days to 30 days. Motion carried by unanimously roll call vote.

2. Discuss township policies for managing the risks of the H1N1 (“Swine Flu”) virus

Kladder said that during a influenza pandemic, Acme Township has a role in protecting employees’ health and safety, limiting the negative impact to our residents, and continue to operate as effectively as possible. He reviewed several suggestions such as: employees encouraged to get vaccinated, to wash their hands often, cover their coughs and sneezes, clean work areas and phones weekly. Kladder said that we are getting pricing on glass windows for the reception and clerk desks. Every attempt will be made to keep the Township office open; however, authority should be given to the Township Manager with the approval of the Supervisor to close the office if advisable on a day-to-day basis.

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

Dar Fenner, 5255 Arrowhead Circle, had raised a question of conflict of interest regarding the discussion about whether or not to place a road repair millage on a ballot in the September Board meeting. He again expressed his disapproval of the Board’s action. Kladder had received legal counsel’s review of the matter just before the start of this Board meeting. He then read the findings to Fenner which stated that legal did not find any conflict of interest.

Gordie LaPointe, 6375 Plum Drive, was disappointed that legal counsel had left the meeting. He expressed disappointment in the Board’s action regarding the millage, again feeling that there was a conflict of interest.

John Wierenga, 4266 Westridge Dr, thanked the Board for taking an interest in a road repair millage. He drives Bunker Hill Road daily and knows all too well the condition of that road. He feels that the road is just not cared for.

Stan Sheridan, 6203 Plum Drive, commented that he was a latecomer to this issue of the roads. He feels it is very important to fix the roads but was disappointed in the way the Board handled the issue.

Gail Trill, 7174 Deepwater Point Rd, stated that she does not live on any of the roads that have been mentioned. She did attend the first meeting at Holiday Hills ski resort where Sharon Vreeland, Township Manager, presented an excellent power point presentation. Vreeland explained the years of neglect that have caused the current problems. Trill said that the current Board and previous ones have had little or nothing to be blamed for. She was thankful that the Board had the initiative to education the residents and to move forward so that we can get something done.

Meeting adjourned at 8:17 p.m.