



**ACME TOWNSHIP REGULAR BOARD MEETING  
ACME TOWNSHIP HALL  
6042 Acme Road, Williamsburg MI 49690  
7:00 pm, August 9, 2005**

**Meeting called to Order with the Pledge of Allegiance at 7:00 p.m.**

**Members present:** B. Boltres, D. Dunville, W. Kladder, B. Kurtz, P. Scott, E. Takayama, F. Zarafonitis

**Members excused:** None

**INQUIRY AS TO CONFLICTS OF INTEREST:** None noted

**APPROVAL OF AGENDA:** Kurtz moved consideration of the POW Special Use Permit to directly after the septage treatment plan presentation and added discussion of a new offer by the attorneys for the

**Motion by Kladder, support by Takayama approve the agenda as amended. Motion carried unanimously.**

**A. CONSENT CALENDAR:**

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

**RECEIVE AND FILE:**

1. [Treasurer's Report](#) as of 06/30/05
2. [Clerk's Report](#) as of 07/30/05
3. Draft unapproved minutes
  - a. [07/19/05 Planning Commission meeting](#)
  - b. [07/25/05 Planning Commission meeting](#)
  - c. [07/28/05 Infrastructure Advisory meeting](#)
  - d. [08/03/05 Infrastructure Advisory meeting](#)
  - e. [07/26/05 Yuba Creek Natural Area Steering Committee meeting](#)

**ACTION:**

4. Approval of Board meeting minutes:
  - a. [07/12/05 meeting](#)
  - b. [07/21/05 meeting](#)
  - c. [07/21/05 closed session meeting](#)
5. [Accounts Payable](#) in the amount of \$161,742.38 through 07/29/05

**Motion carried by unanimous roll call vote.**

**B. LIMITED PUBLIC COMMENT:**

[Dan Hanna](#), 7239 Lautner Road read a letter addressed to the Board and public thanking the public for voting at the August 2 referendum and expressing his views about its significance. The letter was provided to Corpe and is included and incorporated by reference.

[Ron Reinhold](#), 4446 Westridge, read a letter stating that his group, Acme Taxpayers for Responsible Government has not been contacted by any Board member since the referendum was held to congratulate them on their "win" or to invite that group to participate in discussions about the future of the community. He offered their group's participation in this regard. The letter was provided to Corpe and is included and incorporated by reference.

**C. CORRESPONDENCE:**

1. [Grand Traverse Sheriff's office](#): received and filed.

**D. PRESENTATIONS**

1. **Update regarding [Septage Treatment Plant](#) – Gourdie Fraser:** Jim Minster from Gourdie Fraser was present with Scott Jones from Christman, the septage treatment plan construction company to discuss the accident at the plant. A memo and a PowerPoint presentation were

provided to the township containing the details. The spilled, semi-treated septic waste was tested for content and for depth of infiltration into the soil. Lime was spread to increase the pH balance of the materials to eliminate pathogens and speed natural breakdown.

There are two tanks at the facility that contain screened and partially treated waste. The east tank wall ruptured and the contents spilled out. The west tank integrity was maintained but the material was pumped out and transferred to the regional sewage treatment system.

Insurance companies were on site quickly to analyze the situation, and by July 8 – 9 site cleanup and rebuilding was begun. The goal is to have the plant fully on-line again by January 9, 2006. Mr. Jones narrated the portion of the presentation that displayed before and after photographs of the damaged areas.

Mr. Minster reported that the portions of the facility that pre-screen and prepare wastes for the treatment tanks are still usable and are being used for the early portions of the treatment process. The semi-treated waste is being directed to the regional sewage treatment plan. Some of the stronger waste is entering the system through Garfield Township. Odor control measures have been installed.

Mr. Jones noted the ongoing question, “why did the problem occur?” There was missing reinforcing steel at the tops of the walls. He believes the design itself was sound, although enhancements are being discussed to ensure future safety.

Kladder asked why on-site retention basins were not designed to contain a spill. Mr. Minster stated that the retention basins were developed for 100-year storms, not catastrophic blow-outs. The released materials were contained on-site. Short of creating a berm around the entire property there are few containment options.

Total costs are anticipated to be \$2.1 million. Damage from the collapse will be covered by an insurance bond, and rebuilding costs will be covered by the contractor that failed to place the reinforcing steel in the appropriate places. No significant equipment upgrades are planned, but a “belt and suspenders” approach will be taken to reinforcing the tank walls. Both tanks are being examined structurally. They had only been in service since November 2004.

An alarm was triggered when the release occurred, but it was not forwarded all the way through the alarm system, which was incomplete at the time.

Reimbursement to the County for loss of use during clean-up and repairs is also planned.

2. **Report from Public Safety Advisory – Pat Collins:** Chairman Collins introduced the members of the committee that were present in the audience this evening (Denny Hoxsie, Jim Maitland, Dick Smith, Andy Andres and Darryl Nelson.) The task that has been before them since the spring was how to deal with an expected upcoming shortfall in funds available for fire protection. A 1 mill levy has been in place, and since 2000 an additional half-mill levy has been in place to keep the shortfall at bay. Acme pays for about 20% of the Metro Fire budget.

In 1951 the state enacted P.A. 33, enabling townships to create special assessment districts to fund fire and police protection services. Several surrounding townships use P.A. 33 to fund fire protection, including Garfield and East Bay Townships who are our partners in Metro Fire. In East Bay Township the revenues also provide ambulance service to residents at no cost.

In 1975 the Acme Township Board created a special assessment district pursuant to P.A. 33, establishing a 1 mill levy on all real property in the township. A public vote ratified the creation of the district. It was discovered that the levy was a P.A. 33 special assessment rather than a millage when the original ballot language was obtained from the County Clerk. The same was true of East Bay Township. Also in both townships, the ballot language limited the amount the township would levy. East Bay Township’s attorney, Dick Ford, in an earlier opinion to his Board, expressed the opinion that the township did not have the authority to limit the amount to be collected under P.A. 33. The act itself provides that an amount between 1 and 10 mills can be levied annually. Acme Township attorney Bzdok has reviewed and concurs with Mr. Ford’s opinion that the ballot language was inappropriate, and probably designed to address

public concerns about variable levy rates from year to year.

Collins stated that there is a good system of checks and balances in place when it comes to the levy. The Supervisors of the three Metro Fire townships make up the Metro Fire Board which approves their annual budget. Additionally, a township with a special assessment under P.A. 33 should have a board charged with reviewing the annual fire protection budget and recommending the amount to be levied in any given year.

Special Assessments under P.A. 33 can be created in two ways; by a public vote or by Board resolution. The Public Safety Advisory is recommending that the Board, by resolution, deconstruct the existing special assessment district and institute a new one. It is also suggesting that the assessment to be collected in the Winter 2005 tax bills remain at 1 mill, recognizing that the additional half-mill millage approved in 2000 will be collected one more time this year. The Winter 2006 levy would be established next year after review of the Metro Fire budget by the township.

To proceed, it would be appropriate for the Board to set a public hearing date at which to consider the first resolution provided in the packets, which would discontinue the existing special assessment district and form a new one without the inappropriate language limiting the amount of millage that could be collected. If the first resolution is adopted at that meeting, a second public hearing date would be set to consider the proposed Metro Fire budget for their fiscal year 2006 (which coincides with the calendar year) and the amount of assessment needed to meet that obligation. The timing is very good; Metro Fire begins working on its budget each year in August and usually has it finalized around October or November. If the Board adopts the new millage amount in October and November every year (annual meetings and resolutions are required but have not been done in the past) the new millage amount can be placed on the winter tax bills sent out on December 1 each year.

Scott expressed fears of what would happen if, in the future, the Board set a millage rate that was unpalatable to the public. What recourse would the public have? If the Board adopts the resolution creating the new special assessment district, the people have the right of referendum. If the Board adopts an annual assessment rate that the people feel is too high, perhaps there might be a recall.

**Motion by Scott, support by Zarafonitis to set a public hearing regarding Resolution #R-2005-13 at the September 6 regular Board meeting. Motion carried by unanimous roll call vote.**

3. **Request to establish new Shoreline Park & Preservation Advisory – Paul Brink & Pat Salathiel:** Kurtz stated that the Board created a Farmland and Open Space Preservation Advisory, which has been active in addressing farmland preservation-related issues. Several individuals in the township are now asking to develop a new advisory to specifically address shoreline park creation/land preservation goals. Kurtz read the letter from Mr. Brink and Mrs. Salathiel expressing their interest in co-chairing such an advisory and a proposed mission statement, which is included and incorporated by reference. Several other individuals have already expressed interest in joining, and the advisory would be open to other interested parties as well.

Mrs. Salathiel, a former Planning Commissioner, provided a brief history regarding this issue. Several years ago Dave Krause, another Planning Commissioner, formed a group of people interested in acquiring and preserving waterfront land in the township and together they created the mission statement. The initiative was spurred by the proposed redevelopment of the Surfside Motel/Srdjak property, which is currently underway. If the township would have been able to raise the funds, it could have purchased the land for public use. Several other properties are up for sale along the shoreline between Bunker Hill Road and M-72, and yet others are considering redevelopment. The individuals interested in this project realize it is a long-range project, but are eager to look for funding sources for public waterfront acquisition. Kathleen Guy, Director of Development for NMC, has expressed an interest in bringing her expertise to bear. Mrs. Salathiel is a boater, and enjoys public shoreline amenities available in many communities such as Traverse City and Petoskey, and hopes to foster a similar situation in Acme.

Mr. Brink indicated that he, Mrs. Salathiel and Mrs. Guy have come together several times over the summer to talk. They have expressed their hopes to Rotary Charities, the G.T. Regional Land Conservancy and other potential funding sources that have all expressed enthusiasm for the project.

**Motion by Zarafonitis, support by Takayama to form the Shoreline Park & Preservation Advisory Committee. Motion carried by unanimous roll call vote.**

Chuck Walter, 6584 Bates Road, asked if the township would be contributing funding to this initiative. Kurtz replied that this will remain to be discussed, particularly in light of budget shortfalls over the past several years.

4. **Report from Infrastructure Advisory – Mark Lewis:** The Infrastructure Advisory has been discussing the question of whether or not previously proposed Phase 2 sewer system improvements along US 31 north of M-72 should be undertaken as planned, or whether they should be shelved and the portion of the bonds issued in 2003 to fund the project defeased. Phase 2 would improve pump station #2 near Bertha Vos and install a larger forcemain between that station and pump station #1 at the base of Bunker Hill Road. An existing gravity flow line currently serves all of the areas along US 31, the Deepwater Point area and the Resort. This line can handle around 364 new sewer “benefits” (residential household service equivalents, or about 200 gallons of wastewater per day) before additional capacity is required. Pump station #2 has a similar level of remaining capacity.

Existing and proposed projects within this general service area indicate that in the future additional capacity will need to be developed. Areas of uncertainty include whether or not the Resort will remove approximately 534 units of service from the line and redirect them towards the Tribe’s Turtle Creek wastewater treatment facility. A regional water/sewer infrastructure study may also be under way soon, and there is the possibility that it could result in a recommended new pattern for infrastructure or flows to current or future treatment facilities that might make the proposed phase 2 improvements unnecessary or ill-advised. Debt payments for the funds raised through the 2003 bond issue and other bond issues are made by selling benefits (usage units) on the system. It appears that there is at least a 5-year window before the new capacity will be needed, and it would only take 2 years to develop and construct any needed improvements. Cash flow in the Sewer Fund to meet debt service and operating and maintenance requirements is getting tight.

The Infrastructure Advisory has recommended that the Board defease the remaining portion of its share of the 2003 bond issue. The funds that would have been spent on phase 2 improvements would be put in the bank and used to partially call the bonds at the earliest possible date in 2012. This would leave the township repaying principal and interest on only the portion of the funds expended on phase 1 improvements. Their recommendation specifically included having the township participate in local and regional infrastructure master planning and maintaining an active interest in these issues.

Zarafonitis asked about the uncertainty over whether the Resort’s 534 benefits serving the core property would be redirected to Turtle Creek. Lewis replied that the Tribe had been considering this, but became less enamored of the idea when they learned that it is current DPW policy not to purchase the benefits back.

Lewis noted that there are other ideas to consider besides creating more flow capacity. Pumps can be upgraded to handle different flow rates at different times of day, storage capacity can be created at pumps to store flows during heavy times of the day and release them during lighter times of day to more efficiently utilize existing pipe space, and other innovations exist or will come along. Master planning for water and sewer service is critical in Acme and within the entire DPW set of communities. We need to be certain that infrastructure money is spent wisely on improvements that will truly be valuable in the long term, as well as addressing immediate cash flow needs. The Infrastructure Advisory unanimously believes that defeasing the bonds at this time is the appropriate course of action.

Zarafonitis asked Jim Maitland, an advisory member, for his specific thoughts. Mr. Maitland responded that if he were considering his development, LochenHeath, alone, he might want

to proceed. But looking at all of the factors and considerations he voted in favor of defeasement as being the best option for the township as a whole at this time.

Kurtz noted that there were two options examined for the defeasement. One would be to stop the project entirely and immediately; the second would be to complete a topographic study and engineered design and "put it on the shelf" for future use by one party or another. The Advisory has recommended that the first option stopping the project immediately be adopted.

Mr. Walter asked where the savings from defeasement would be realized. Lewis stated that \$50,000 per year is the estimated annual savings. The debt service is paid from the Sewer Fund, not from the General Fund, which Mr. Walter feels is important to have recognized by the public. Corpe reminded the Board that several months ago they received a cash flow model for the Sewer Fund indicating that if everything remains at status quo the sewer fund will be empty in about a year. If 20 new benefits are sold per quarter, there would still be a negative balance in about a year and half.

Gene Veliquette expressed concerns about redirecting cash from the planned project as authorized to some other use, particularly when a need will exist in 5 years. He wondered if the development projections on which the options are based are stale. He also noted the proposed developments along M-72 and that they will have an impact. Lewis noted that bonds are sold for a specifically described project and cannot be used for any other purpose. The sewer service district in which the improvements were to be made does not receive any flows from M-72 East. Defeased funds are repaid to the bond holders through early payback of principal. Corpe added that the advisory discussed the concept that, as Mr. Veliquette implies, the growth projections may be outdated and too low. If this is the case, the proposed improvements might not be adequate to the challenge, and would therefore be a waste of money. If the low projection says we will not reach capacity for 5 years, and engineering and construction can be done in 2 years, a window of 3 years is available to figure out what the real projected growth scenario is and the best way to meet that need.

**Motion by Kladder, support by Takayama to completely defease the remaining portion of the 2003 sewer improvement bond and for the township to participate in the regional infrastructure master planning process, adopting Resolution #R-2005-14. Motion carried by unanimous roll call vote.**

Lewis indicated that the advisory has also recommended to the Board that they participate in a regional water infrastructure study/master planning process, pending information regarding the costs involved. The township needs to decide whether and to what extent it wishes to become involved in providing water service, and what the best way to provide such service would be either through the DPW or in cooperation with the Tribe. The Board decided to defer a motion on this recommendation until a proposal is received through the DPW.

## **E. OLD BUSINESS**

- 1. Continued discussion, SUP/Site Plan Approval Application #2004-23P by POW Investments, LLC:** Final consideration of this SUP has been on hold pending resolution of issues related to how water would be provided to the development. This has involved discussions at the Infrastructure Advisory level. The developer has proposed to receive water service from the Grand Traverse Band of Ottawa and Chippewa Indians rather than through the regional DPW or an on-site water system.

Mark Lewis, Infrastructure Advisory Chair stated that an advisory meeting involving the County DPW, DEQ and EPA was held. This has led to a recommendation that the Board grant SUP approval to the proposed development, based on the development receiving water service through Tribally-owned and operated infrastructure connected to privately-owned leads connected to each individually-metered dwelling unit.

The key issues under consideration by the Advisory centered on the appropriate nature of any relationship between the developer, township and Tribe. At the current time the DEQ and EPA have indicated a belief that the Tribe does not need to obtain a franchise from the township to provide utility services, and that as long as the infrastructure remains in Tribal ownership it will be subject to EPA oversight and regulation. This position is still under discussion and subject to change, and is not to be construed as a precedent. If the

infrastructure comes to be under non-Tribal control in whole or in part, it would become a privately-owned public water system under DEQ oversight.

The Tribe has provided a letter and Tribal Council resolution indicating their willingness to enter into an agreement to provide water to Windward Ridge. The terms of the agreement have not been disclosed to the township; Lewis suggested that the Board should consider whether it wishes to receive this information.

Kurtz noted that significant effort and a large group of people have been involved in the discussions to date. Concerns still exist to be resolved, and the township has asked the DPW for assistance in resolving them.

Lewis noted that the Advisory made 3 recommendations to the Board at their August 3 meeting; including that the Board clearly communicate to the Tribe that permitting water to be provided to Windward Ridge by the Tribe should not be construed as a precedent regarding sanitary service, and that the township undertake some infrastructure planning in conjunction with the DPW and the rest of the region.

Kladder asked what would happen if the Tribe owns the water lines within the development and if the township decides to start a water service of its own. Would the township be able to serve the community? Christopherson noted that some of the answers to the ownership of the infrastructure will of necessity be addressed in the condominium documents, which must be submitted and acceptable to the township as a condition of SUP approval.

Lewis read from the August 3 minutes a statement by Brian Thurston from the DEQ that one possible option would be for a master meter to be installed between the bulk of the Tribal ownership and the development as a whole. If this were done, the on-site water system would come under the purview of the DEQ rather than EPA. It would be under this option that the township would be able to ultimately assume the system on the development if it offered water service. Under the proposed scenario where the Tribe will own all the infrastructure, it seems that the township would have to purchase it from them in order to use the lines to serve the development in the future.

Lewis underlined the importance of studying the township's projected future infrastructure needs and creating an infrastructure master plan for the long-run. In the meantime, some sort of way to deal with the immediate development application must be found.

Kladder asked if the Tribe has the ability to terminate the agreement at any time; Mrs. Pownall, the developer, stated that the agreement is constructed so that it can only be terminated by her. Lewis interpreted Kladder's concern as being one of how to provide for the public health, safety and welfare of the development's residents if a sudden change in the circumstances occurs. Mrs. Pownall asked if a similar back-up system is in place for systems operated by the township in case the township ceases to provide service.

Corpe noted that before the SUP would be signed or any land use permits issued, the applicant will have to provide homeowner association documents and an open space conservation easement acceptable to the township's legal counsel. She has spoken to Chris Bzdok, who excused himself from discussions about the water system due to a conflict of interest created by the Tribe's involvement. He believes he will be able to provide the services to review the additional documents required on behalf of the township.

Christopherson explained paragraph 14 of the proposed SUP, which will require that an escrow fund be set up. The SUP also contains paragraphs that require privately-owned public water systems to be offered to the township for operation and maintenance and an escrow fund to ensure that costs will be met. In this case the township will not have the option to operate the system, so Christopherson has suggested that the required escrow amount be reduced from \$5,000 to \$2,000. Mrs. Pownall objected to having an escrow in place at all, feeling that the township should rely on the Tribe and EPA to safely operate the system on an ongoing basis. Christopherson stated that while it is likely that no problem with the system will arise there is no guarantee that there will be no problem in the future, and the township has a responsibility to look out for the health, safety and welfare of its residents.

Mrs. Pownall also objected to the idea the certain of the township's legal expenses would be passed along to her. She feels she has been a "scapegoat" for the township and their test case to learn what it needs to know. She feels she has done what she has been required to do by the township. Christopherson responded that the township has made collection of these costs a requirement in other cases and is authorized to do so by state law.

Bob Forsman, Gourdie Fraser, spoke on behalf of Mrs. Pownall and recognized that it is standard to require an escrow to handle water and sewer issues. The proposed development will hook up to the regional sewer system. He believes the standard costs in the past have been \$1,000 each for water and sewer hook-up review.

Boltres expressed that the Tribe is not within township or state jurisdiction. The township has to guarantee that people living in the project will obtain the services they need. He hopes that Mrs. Pownall realizes that she is placing her residents at risk because she may have no recourse if the Tribe chooses to pull out of the agreement or if a problem occurs.

Takayama believes that any motion regarding this issue should encompass the Advisory's recommendation that a letter be sent to the Tribe indicating that the decision is not intended to set a precedent.

**Motion by Zarafonitis, support by Dunville to approve SUP/Site Plan Approval Application #2004-23P, contingent upon the township sending a letter to the Tribe indicating that the decision to permit the project to proceed with water provided by the Tribe is not to be construed as a precedent for future decisions about provision of water or sewer service to other properties within the township.**

Kladder asked what else must be done before construction could occur on the site. Corpe responded that the open space conservation easement and homeowners association documents must be provided and approved and that a letter of credit must be provided to cover the costs of runoff management, road construction, landscaping and a sidewalk along M-72 before Land Use Permits will be issued.

Boltres asked about potential groundwater contamination on the Windward Ridge site. Corpe responded that this is an unknown. She takes exception to implications that delays in the SUP approval process have been entirely the township's fault; in all of her reports she raised the question of where water would come from and the answer that it would be from Tribal sources was slow in coming before the question of how it would be appropriate for this to occur was considered. The question was asked time and again why on-site wells would not be considered, and no straight answer was ever provided by the applicant. There has been conjecture that there might be groundwater contamination from the junkyard that used to be on the property immediately to the north of the project site, but there is no proof one way or the other.

**Motion carried by unanimous roll call vote.**

## **F. NEW BUSINESS**

- 1. Consider resolution authorizing Clerk to apply for grant to purchase new voting machine:** The township has 2 voting machines and 2 voting districts. There is an opportunity to receive a machine at no cost to the township, which could be a back-up in case of malfunction or for processing absentee ballots.

**Motion by Boltres, support by Scott to adopt Resolution #R-2005-15 authorizing the Clerk to apply for a grant to obtain a new voting machine. Motion carried by unanimous roll call vote.**

- 2. Consider offer from Dickinson Wright to dismiss the Open Meetings Act Violation Lawsuit:** At about 4:30 this afternoon an offer to dismiss the case was received from Dickinson Wright. If the township consents, the case would be dismissed "with prejudice" which means it could not be re-activated later.

**Motion by Zarafonitis, support by Scott to authorize Chris Bzdok to move forward with**

**dismissal of the Open Meetings Act Violation lawsuit. Motion carried by unanimous roll call vote.**

**G. REPORTS**

1. [County Commissioner's Report](#) – Larry Inman
2. [Sheriff's Representative Report](#) – Deputy Matt McKinley
3. [Buildings and Grounds](#) – Tom Henkel
4. [Zoning](#) – John Hull

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

Scott Nowakowski, Director of Real Estate for Meijer Inc. stated that his company and the Village at Grand Traverse have been trying to engage the township in discussions about their projects for several months but feel that little progress has been made. He asked for the township's intentions in this regard. Kurtz replied that last month the Board authorized Kurtz and Zarafonitis to enter into discussions with both parties and CCAT, and that several meetings to this end have occurred already. Mr. Nowakowski was present at one of these meetings, and Kurtz hopes the process will move forward expeditiously.

Andy Andres spoke regarding the new Shoreline Parks and Preservation Committee formed this evening and to be chaired by Paul Brink and Pat Salathiel. He stated that it seems as though all of the advisories formed by the Board to date are geared towards CCAT-sponsored goals and chaired by CCAT members. There is another side to the story that he feels is being excluded. Speaking to Boltres, Mr. Andres feels that his attitude towards the Tribe is "snobbish."

Noelle Knopf, 5795 US 31 North, is encouraged by preservation efforts, but is discouraged by the possibility of a taking by the township. She worries that potential property purchasers for development will be discouraged from buying the properties by township officials. Corpe stated that numerous contacts have been received regarding several waterfront properties in this area; most regarding the Sun n' Sand and one recently regarding Ms. Knopf's property. When they ask what can be done on the properties, they are advised according to current zoning ordinance standards. Taking the Sun n' Sand as an example again, recently an individual asked about building 6 condo units on that property. Corpe advised him that condos are a permitted use, but that 6 units was likely too ambitious a goal for that particular parcel and they should consider a lower number. Corpe also spoke with a Realtor about Ms. Knopf's property recently. She was asked if it could remain a motel and/or be converted to condos, and replied that it could. When asked what the township's master plan for the waterfront is, Corpe responds that there is interest in perhaps acquiring parcels for public use, and that the township would be looking for ways to fund purchases, certainly, rather than simply taking the land.

Mr. Walter stated that the township already owns a lot of public parkland, and that before any more is acquired there should be plan in place. He feels there is enough public land in Acme already. Mr. Walter also stated that over the weekend he and his wife were at the MDOT park and noticed that the Dumpsters are overflowing. Today he was at the Bayview Inn and noted that nothing had changed. He feels the township should take a partnership interest in keeping this area clean. Mr. Walter also noted a statement in a newspaper article recently indicating that Kurtz would like to have open communication between parties to recent litigation, although it seems like in past months he was uninterested in any such communication. He hopes that the township will truly move forward in this regard and do what it can to encourage a good anchor for a town center project.

Jim Maitland noted that the MDOT park belongs to MDOT but it contracts with the Road Commission to maintain it. As a Road Commissioner he committed to having his agency work harder to maintain the area well.

**Meeting adjourned at 9:25 p.m.**