



**ACME TOWNSHIP REGULAR BOARD MEETING  
ACME TOWNSHIP HALL  
6042 Acme Road, Williamsburg MI 49690  
Tuesday, June 3, 2008 7:00 P.M.**

**MEETING CALLED TO ORDER WITH PLEDGE OF ALLEGIANCE AT 7:00 P.M.**

**Members present:** D. Dunville, R. Hardin, W. Kladder, P. Scott, E. Takayama, F. Zarafonitis (8:57 p.m.)  
**Members excused:** B. Boltres  
**Staff present:** S. Vreeland, Township Manager/Recording Secretary  
J. Hull, Zoning Administrator  
C. Bzdok, Legal Counsel

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

**APPROVAL OF AGENDA:** Motion by Takayama, support by Scott to approve the agenda as amended to add two new items to new business. Motion carried unanimously.

**A. CONSENT CALENDAR:**

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

**RECEIVE AND FILE:**

1. **Treasurer's Report** as of 4/30/08
2. **Clerk's Report** as of 5/30/08
3. Draft Unapproved Meeting Minutes:
  - a. **Planning Commission:**
    1. **05/12/08**
    2. **05/19/08**
  - b. **Farmland & Open Space Advisory 05/22/08**
  - c. **Parks & Recreation Advisory:**
    1. **05/08/08**
    2. **05/22/08**
  - d. **Personnel Committee 05/15/08**
  - e. **Shoreline Preservation Advisory 05/28/08**
  - f. **GT County DPW Sewer & Water Committee Draft Meeting Minutes**
  - g. **Metro Fire Board Meeting Minutes 04/22/08 and 05/05/08**

**ACTION – Consider approval:**

4. **05/13/08** Township Board meeting minutes
5. **Accounts Payable** of \$74,573.93 through 05/23/08 (recommend approval: Dunville)
6. Amendment **to Hazardous Materials Emergency Response Agreement** with TC Fire Department (increase in annual fee from \$300 to \$395)

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

**B. LIMITED PUBLIC COMMENT:**

**Gene Veliquette, Elk Lake Road**, commended Kladder for insisting on the Board adopting a balanced budget at the last meeting. The budget as proposed this evening appears to be balanced. His remaining concerns are whether the township has budgeted for parks-related expenses that have been advertised as to be covered by private donations, and he feels that budgeting nothing for legal services is unrealistic given the legal activity over the past four years. He is concerned about the size of the proposed increase in the annual budget, although he understands that costs for goods and services have gone up noticeably. Mr. Veliquette also stated that the Village at Grand Traverse SUP has not been reinstated by the Circuit Court yet, and he said that it has been nine months since the Court of Appeals ordered the Circuit Court to do so, which he feels is wrong.

Steve Feringa, Grand Traverse Resort & Casino, stated that the new owner of one of the Hoxsie Farms on M-72, who is a landscaper, dug a hole for a pond that is on top of the tribal water main. Because the main was installed via directional drilling there is some uncertainty as to exactly how far below the surface the pipe is, and how close to the top of the pipe the pond excavation has come. The pipe could be damaged because of the situation, which is a serious concern. Vreeland stated agreement, and that the pond excavation appears to be within the MDOT right-of-way. While the landowner asserts that he was told by MDOT officials that this would be okay with them, other local MDOT officials indicated the opposite to Vreeland. They also told her that MDOT enforcement would require action by the state Attorney General, which is unlikely, so they are largely relying on enforcement help from the township. She and Hull have been actively working on a resolution to this issue.

**C. CORRESPONDENCE:**

1. **Pictures of new fire truck purchased for Metro Station 11:** received and filed
  
2. **US Dep't of the Interior Notice of Decision 05/21/08 – Turtle Creek Tribal Property Trust Status:** The township has until June 22 or so to challenge the BIA determination to grant trust status to additional property at Turtle Creek if it desires. Kladder is working with Dennis Aloia, the County Administrator, and Vreeland had a discussion with Whitewater Township Supervisor Larry Lake earlier today on this issue. Tribal representatives have expressed willingness to work with the County and the townships towards an agreement for payments in lieu of taxes (“PILT”). Ron Olson, the CEO of the Tribal Economic Development Corporation confirmed this, and expressed a desire to continue working with the local communities as they have in the past. He stated that the tribe has consistently made distributions from their 2% funds locally that exceed the value of the taxes that will be discontinued on the properties. They want to make sure they pay their fair share. Their only concern would be that they would like to be sure to have the funding come from 2% funds, as their compact with the state says that this is what those funds were specifically to be for, to reimburse local communities. There is a general desire to reach agreement by about June 17, a few days before the final response deadline.

Kladder stated that in early discussions, the County is proposing to collect all PILT funds and distribute them back out to the various taxing authorities. Mr. Olson suggested it might work best for each township and the County to submit separate requests. Dunville stated that this has been a long process for the tribe and she is looking forward to a friendly resolution. Scott asked if there has been progress towards a cooperative agreement between the Tribal Police and Sheriff’s Department; Mr. Olsen stated that the Tribe is willing to work with the County but to date the County has expressed unresolved concerns with the two departments working more closely together. Kladder believes that negotiations will ultimately be successful.

Mr. Olson stated that at the Acme Board meeting a month or so there was a statement made by a member of the public that a specific retailer had been signed to develop a store at Turtle Creek. There have been no conversations beyond a hypothetical point and no retail location commitments made. The Tribe’s current primary focus is on opening the new hotel and casino, and in this economic environment it may take a while for other commercial development to occur on the site.

Kladder stated he, Dunville and Vreeland have met with tribal representatives in an informal setting on a monthly basis for about six months, and is pleased that better lines of communication and cooperation seem to be opening.

**D. OLD BUSINESS:**

1. **Treasurer’s Resignation:**
  - a. **Consider acceptance of Bill Boltres’ resignation as Treasurer effective 06/30/08:**  
Kladder read Boltres’ letter of resignation into the record.

**Motion by Takayama, support by Dunville to accept Boltres' resignation effective 06/30/08. Motion carried unanimously.**

- b. **Establish procedure for selecting an individual to complete the remaining term of office:** Kladder read Doris Boltres' letter from last month into the record, whereby she offered continued assistance to the township until the new board takes office in November. At this point several options are available. The township could appoint someone now as Treasurer, and they would assume that responsibility on July 1. The township could accept Mrs. Boltres' offer to serve on an interim basis and appoint her immediately, or it could carry out the customary candidate search and selection process. Either way the process must be complete within 45 days of June 30.

- c. **Possible selection of individual to complete remaining term of office:**

**Motion by Scott, support by Dunville to appoint Doris Boltres to complete the unexpired term of the office of Treasurer effective July 1.**

Kladder observed that the incoming Treasurer will be free to appoint anyone as their deputy without Board involvement or ratification. Scott, Dunville, Takayama and Hardin expressed consensus that appointing Mrs. Boltres to complete the brief remaining term of office would be the smoothest possibly interim method for the township.

**Motion carried unanimously.**

2. **Consider selection of Township Engineering Consultant:** Kladder stated that in recent years the township has contracted for engineering services on a project-by project basis. There are sufficient upcoming issues that it seemed prudent to consider contracting with a single firm for ongoing needs. The Board formed a committee consisting of Kladder, Hardin and Vreeland, who solicited proposals, reviewed the 12 responses, interviewed 4 candidates and checked references on a final two, c2ae and Fleis & Vandenbrink. All of the firms were well qualified and spoke well of each other. In the end the committee is recommending that Fleis & Vandenbrink be appointed as the township engineer.

Mr. Veliquette asked what need has prompted consideration of this action. Kladder noted that a study needs to be done regarding current water and sewer infrastructure and a plan for maintenance and possible expansion in the future. They will also be needed on occasion to assist with development plan reviews.

**Motion by Scott, support by Hardin to appoint Fleis & Vandenbrink as the township Engineer of Record.**

Kladder asked Vreeland what tasks she believes the township will require from an engineering firm. She stated that she would advocate strongly for an immediate review of the water and sewer infrastructure in the township, for several purposes. First, the condition of the system and its ability to accept new connections to accommodate growth would be determined. This information would also facilitate development of a capital improvements plan (CIP) for the township, a task we are required by law to undertake. A CIP must project and plan the performance of needed public improvements for item such as water, sewer and public buildings such as the township hall for six years into the future, along with associated costs both in present and future dollars, and must be updated annually. It should not be difficult to maintain on an annual basis, but the initial development will require some effort. Updated information about sewer and water system maintenance needs can also be used to support the user rates established for these services. The township would pay for these services. Additionally, they may be required to assist with technical aspects of special use

permit site plan review, the reasonable costs of which would be payable by the SUP applicant.

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

**F. NEW BUSINESS:**

1. **Consider approval of SUP Amendment Application 2008-01P by Mark Sedgewick, 5555 Bunker Hill Road to establish a residence in a walk-out basement on commercial property at 4263 E. M-72 (former Sandtrap), zoned B-2, General Business:** Hull provided background about the Sedgewick request to convert the building formerly used by the Resort as a restaurant and golf clubhouse to a building housing a mixture of business and residential uses. He noted that the upper floor commercial uses are allowed by right, pursuant to site plan review, according to the recently amended business district ordinances. The proposed lower floor residential use is also new to the business district ordinance, added to promote stated township desires for more flexibility in mixing uses, and requires a special use permit. The Planning Commission has recommended approval of the project. The only change to the exterior of the building that is proposed is the complete enclosure of an area that currently has a roof but no walls. Residential fire codes will be met. The ability to have a residence on a lower level of a commercial structure rather than strictly on an upper level was confirmed by the Zoning Board of Appeals. Kladder had expressed concerns about the availability of parking; Hull reported that by removing half of the building from commercial use the parking space needs will be reduced drastically. The nature of traffic flow to the businesses proposed should work well with the traffic flows to TraVino, which shares the parking area. If the proposed businesses should change, no change to the permit would be required unless the basic nature of the businesses were to differ. Hardin noted that the new businesses will share the existing TraVino freestanding sign structure.

**Motion by Dunville, support by Takayama to approve SUP Amendment application #2008-01P. Motion carried unanimously.**

2. **Consider approval of SUP Amendment Application #2008-02P by Richard Bruening, Stained Glass Cabinet Company, 4160 M-72 East to permit addition of a weekly outdoor farmers'/crafters' market on property located at 4160 M-72 East, zoned B-2, General Business:** Mr. Bruening was present in support of the application. Kladder expressed enthusiasm for the idea of having a farmers market within the township. Mr. Bruening feels that the township "needs a fun event." He has been in business in his current location for 22 years, and he feels it has contributed to the success of the wine shop and Down Factory Outlet, his nearest neighbors and the current key retail properties along the M-72 corridor. His property includes Acme Creek, and he feels it would be a beautiful and effective setting for a farmers market with the "up north" feel that visitors to the area are seeking. This will set his market apart from other local farmers markets, which are generally in paved parking lots. Mr. Bruening has spoken to potential vendors from Acme, Elk Rapids, and Kewadin – all on this side of town, and he hopes that all Acme residents will help support their neighbors and create an effective network for the sale of locally-made products. No new permanent structures will be added to the site, and existing parking will be utilized.

Mr. Bruening made a request. On an earlier existing site plan for his property there is a notation of the lawn area adjacent to Acme Creek notated as a flood plain. He has never known this area to flood. Right now his site plan proposes to keep all vendor stalls fairly close to the winery building, but he would like to ask for flexibility to possibly allow stalls to come closer to the creek. He did raise this issue with the Planning Commission but received no clear response. Hull stated that the issue is not whether or not the area is within a true flood plain, but the fact that the township zoning ordinance requires a 50' setback from bodies of water for all structures, whether permanent or not. He stated that the Board of Trustees does not have the authority to provide a variance from this requirement. While he offered no opinion one way or the other as to location of structures within the floodplain, he

noted that there is ample room elsewhere on the site to locate the use. He is uncertain that standing behind a table would qualify as a structure, but anything more than that might pose a concern. Kladder stated he would have concerns with the township allowing vendors to locate very close to the creek – within 8’ or so, and is uncertain the township should permit it. Hull believes the setback requirement exists for valid reasons. Hardin asked if an applicant owning a private residence would be allowed to build a deck to within 50’ of the ordinary high water mark; they would not. Scott appreciated the concerns, but wonders if 50’ is an appropriate setback size or whether it should be something smaller such as 30’ or 20’. Kladder would prefer to have the 50’ setback respected.

Mr. Bruening stated that his unpaved driveway and parking are sprayed for dust control, and he will be providing bathroom facilities.

**Motion by Dunville, support by Scott to approve SUP Amendment Application #2008-02P, requiring the 50’ minimum setback from Acme Creek to be respected. Motion carried unanimously.**

The market will be open on Saturdays beginning June 21.

3. **Consider adoption of resolution in support of finding new solutions for funding road repairs:** Kladder stated that many township residents are concerned with the condition of public roads in the township. In particular there has been concern about Holiday Road, and for the past several years the township has been working to find a solution. This effort includes having the road surveyed last year. The County Commission recently approved spending up to \$4 million to help the Road Commission repair primary county roads in bad condition. Unfortunately, Holiday Road is not designated as a primary road and is not on the list for proposed repair. At last week’s County Commission meeting Kladder advocated for assistance in finding a way to repair this road and others in the area. He will be attending all Road Commission meetings going forward to continue his advocacy, and their meeting minutes will be provided in Board packets.

After much study by East Bay and Acme Townships and their respective legal counsels, the major issue encountered has been funding. No legal way has been found to be able to include properties with a derived benefit from improving Holiday Road in a special assessment district (SAD) for that purpose – it appears right now that only properties directly abutting the road could be included in the district.

Kladder read a proposed resolution to be sent to the County and County Road Commission expressing our concerns and desire for assistance in funding the needed Holiday Road repairs.

**Motion by Takayama, support by Hardin to adopt Resolution #R-2008-09.**

Hardin noted that right now cars have to swerve on Holiday Road to avoid major breaks in the pavement. This is especially dangerous in the winter, and it is a curvy road. Takayama wonders if it would be possible to have the speed limit on Holiday Road reduced; Vreeland believes it is currently 35 mph.

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

4. **Consider approval of Farmland PDR Program proposed letter of understanding:** After several delays, caused in part by tasks related to coordination with the County Farmland Preservation program and changes in state and federal grant funding, the township is preparing to move forward to execute PDR agreements with four landowners who have made application to the program. The proposed letter of understanding would form a first step in the process, whereby all parties would confirm their continued intent to move forward in the



process.

Hardin asked what the next steps will be, and when we might be able to close a deal on the first piece of property. He asked that Farmland Protection Specialist Brian Bourdages provide a process flowchart to promote better understanding for the Board and public. He will be asked to include this information in his next regular report.

**Motion by Hardin, support by Scott to approve use of the proposed letter of understanding. Motion carried unanimously.**

5. **Consider approval of proposed Supervisor's appointments to fill vacancies on the ZBA:** Kladder stated that there has been a resignation from the ZBA. He solicited applications and interviewed the three applicants. All of the applicants displayed a breadth of useful experience and good understanding of the judiciary function of the body. Kladder is appointing Robert Hopkins to the unexpired ZBA position expiring 07/03/10.

**Motion by Takayama, support by Dunville to ratify the appointment of Robert Hopkins to the unexpired ZBA term of office expiring 07/03/10. Motion carried unanimously.**

6. **Approve changing date of next Board meeting FROM July 8 TO July 1:** Originally the Board meeting was scheduled for June 8 to separate it from the planned Planning Commission meeting on June 30, but June 8 is in the middle of Cherry Festival. The Planning Commission has moved its meeting to June 23, so the Board could move its meeting back to July 1 if it chose. Scott would be unavailable to attend on July 1. **Consensus was reached to leave the meeting date as July 8.**

7. **Consider appointment of Clerk Dunville to Personnel Committee to replace Treasurer Boltres:** Mr. Boltres has resigned from the Personnel Committee; Kladder would like to substitute Clerk Dunville. The Board originally approved having the committee include either the Treasurer or Clerk.

**Motion by Takayama, support by Scott to accept Boltres' resignation from the Personnel Committee effective immediately and appoint Dunville to the Personnel Committee. Motion carried unanimously.**

8. **Consider adoption of proposed Acme Township Employee Handbook:** up to this point, the existing policy consisted of one page dealing with vacation time. After talking with the auditors Dunville began a project to create a new personnel policy manual. The Personnel Committee, chaired by Zarafonitis, has been working on the document and it has been reviewed by legal counsel. It is intended to be a "living" document reviewed at least annually for needed changes.

Scott asked about the provision that only the Supervisor can close the offices due to severe weather. If the Supervisor is out of town or otherwise unavailable, as written this does not provide for an alternate to make the decision. It was decided to insert language that in the Supervisor's absence the Township Manager can make the decision.

Scott noted that the policy describes payday as being on a Wednesday, but currently it is on Fridays. This is an intentional change to smooth the payroll process, and intended to take effect on July 16. As to military leave, he suggested changing the language to "in accordance with federal law" so that the policy doesn't have to be amended every time federal law changes.

Takayama asked if anything has changed in regards to vacation time accrual. The amount of time off that is offered in relation to length of service is unchanged from the present, however it is now expressed in hours rather than in days. The one new provision is the ability to bank

up to 24 hours per year to a set maximum for longer-term sick leaves. Accumulated sick leave time would not be paid out upon termination.

Dunville would like to see a clearly defined disciplinary procedure. Bzdok warned that it would be unwise for the township to place anything in the document that would unduly limit the township's options. A general process description that still allows for some flexibility would be wise. Takayama stated that in his company's manual there is a list of certain actions (driving a company vehicle under the influence of alcohol, for example) that warrant immediate termination rather than a progressive disciplinary process. The Personnel Committee can work further on this issue and bring proposed language back to the Board at a later date. The two suggested changes by Scott could be adopted immediately. The Committee is also currently reviewing job descriptions.

**Motion by Scott, support by Takayama to adopt the Acme Township Employee Handbook with the two changes suggested by Scott. Motion carried unanimously.**

**9. 2007-08 Fiscal Year Budget**

- a. **Consider approval to purchase new computer equipment:** Last month the Board approved purchase of a new phone system, which has been ordered and will be installed shortly. New computer equipment is also needed. The Board proposed to purchase new equipment last year, at the end of June, but there was insufficient time to accomplish the task prior to the end of the last fiscal year. Vreeland priced out some equipment on-line at a government discount at an estimated \$43,000; a bid from the local computer consultant who provides service to the township has come it at about \$21,700. Kladder believes that the proposed upgrades are very critical to township efficiency. He would like to see the memory proposed in the bit upgraded from 2GB to 4GB, and larger backup power supply for the central server.

**Motion by Scott, support by Dunville to approve an amount not to exceed \$30,000 for computer system upgrades from the 2007-08 fiscal year budget. Motion carried unanimously.**

- b. **Consider approval of expenditure for additional shoreline property appraisal(s):** Kladder noted that active fundraising and grantwriting is going on, and the potential exists to attract funding for up to 75% of the cost of acquiring shoreline properties. Vreeland reported that the township has been told that the MDNR Trust Fund, to whom we have applied for a \$3 million grant, has a high level of funding available this year due to increased oil and gas prices. We have been encouraged to consider increasing the size of our grant request. Additionally, five more property owners have consented to have their properties appraised for potential acquisition; one in particular is extremely interested in discussing the sale of their property. Mike Tarnow, who performed the first three appraisals, has provided a bid to the GT Regional Land Conservancy in the amount of \$7,500 to appraise the new five properties, which the Conservancy will accept if the township is willing to fund the cost.

**Motion by Hardin, support by Takayama to approve the bid in the amount of \$7,500 from Northern Michigan Real Estate Consultants to appraise five more shoreline properties. Motion carried by unanimous roll call vote.**

- c. **Consider adoption of Resolution creating 5<sup>th</sup> amendment to 2007-08 Fiscal Year Budget:** Vreeland summarize the more notable portions of the proposed end-of-year budget amendments. The expected amount of cable franchise revenue was increased to reflect actual amounts received for the first nine months of the fiscal year plus a proportional expected amount for the remaining three months. The litigation budget was decreased from \$30,000 to \$18,000 to reflect actual costs for the year to date and

the expectation of minimal costs over the remaining month. The Supervisor's salary budget was decreased by \$3,000 to reflect the fact that no salary was paid when we were without a Supervisor for a month or so last fall. Election worker salaries were dropped by \$9,000 to reflect unused budgeted amounts. The line items for town center planning and zoning liability self-insurance were dropped from \$25,000 and \$50,000 respectively to \$0 each because it appears unlikely either will be used in the remaining month, but it should be noted that the full amounts for each are budgeted again for the coming fiscal year. Parks and Maintenance salary expenses were increased to reflect the fact that 100% of Tom Henkel's employment costs have been paid from the General Fund for the second half of the fiscal year, when previously 30% of them were charged to the Fire Fund. A reduction of \$30,000 in transfers to other funds resulted from the combination of a \$75,000 decrease due to a change in the way we accounted for a loan to the Fire Fund which was repaid, and by a proposal to transfer \$10,000 to the Shoreline Fund and \$5,000 to the Cemetery Fund in the current fiscal year rather than in next year's budget. Also affecting this line item is a proposal by Vreeland that the General Fund transfer \$30,000 to the Revolving Improvements Fund, which has not been used in recent years. She described how the township is authorized by law to do this to set aside money to loan out for things like road repairs. The money would be repaid by property owners through special assessment districts at a rate of interest not to exceed 5%, and could then be loaned out again. Funds could be transferred back to the General Fund at any time. She believes that the landowners on Crockett Road may request a SAD for road repairs later this summer, and setting aside \$30,000 would be a start towards the total amount needed to cover their request. The other alternative the township would have would be to issue bonds, which would require paying out interest rather than receiving it back. Finally, capital improvement expenditures for new tables for elections, the new phone system approved last month and computers for everyone proposed for next year were moved to this year's budget, broken out between the various cost centers that would receive the equipment. Overall there was a proposed decrease to revenues of \$69,410 for the current fiscal year, and a decrease in expenditures of \$78,504. The projected year-end surplus is \$15,432.

**Motion by Scott, support by Takayama to adopt Resolution #R-2008-10 as amended to lower the maximum computer cost.**

Dunville read the proposed resolution into the record.

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

10. Consider adoption of **Resolution Establishing Purchase of Farmland Development Rights Matching Funds Available for the Township Fiscal Year 2008-09**: The township PDR ordinance requires adoption of an annual resolution establishing the amount of money the township will make available for PDR transactions in the coming fiscal year. The amount proposed matches that in the budget proposal and is equal to 50% of the funds currently in the account plus those to be collected in December 2008.

**Motion by Scott, support by Takayama to adoption Resolution #R-2008-11 as presented. Motion carried unanimously.**

11. Consider formation of an **Acme Township Heritage Citizens Advisory** and appointment of Chair: Kladder is proposing formation of a new citizen's advisory, with an initial charge of preserving the memorabilia associated with Bertha Vos Elementary. He has discussed this with TCAPS administration. Kladder would like to appoint Beth Whiting as the Chair; initial committee members would also include Evie Huver, school principal Caroline Walker, Dunville and Kladder. The school will inventory the memorabilia, which includes a wide range of items such as yearbooks and framed mottos. All items will remain the property of



the schools, but will be cared for by the township and re-inventoried periodically. The proposal is pursuant to plans to disperse various items to a range of regional locations and box others up; there was a fear that they would become lost, damaged, or that the stories associated with them would be forgotten. Eventually Kladder hopes that the community can work towards formation of a larger museum or more diverse community-based collection.

**Motion by Takayama, support by Zarafonitis to create the Acme Township Heritage Citizens Advisory and appoint Beth Whiting as the initial Chairperson, and charge the committee with the task of investigating and advising the Board as to the historical resources existing regarding Bertha Vos and how we may best work with TCAPS to protect, preserve and share them within our community. Motion carried unanimously.**

The Heritage Advisory will also videotape the last day of school, arrange for a portrait of Mrs. Walker as the last principals, purchase an American flag to be flown at the school on its last day and stored to be raised when a new school is opened in the community. The basketball backboards, tetherballs, one set of soccer goals and the softball cages will be left in place, the sprinkler system will be left turned on, and the community is welcome to continue locating the skating rink at the school site. TCAPS is currently planning to keep the site as is for 3-5 years while they evaluate the situation, and the potential for future school reopening. They may rent out the facilities for certain events as of right now.

12. **Consider authorization to apply for a Grand Traverse Band 2% Allocation Grant in June 2008**: Vreeland summarized the provided memo.

**Motion by Takayama, support by Zarafonitis to authorize a Tribal 2% Allocation Grant in June 2008. Motion carried unanimously.**

13. **Consider adoption of 2008-09 Fiscal Year Board Salary Resolutions**: Vreeland thanked Jay Zollinger for a comment he made at a meeting earlier this year, where he expressed concern as to whether the appropriate procedures for establishing Board salaries were being followed. She followed up by looking at the law and information on the MTA website, and saw that the township should adopt resolutions regarding the salaries for each board office. While perhaps not strictly required this year because no increases in board salaries are proposed, she felt it would be prudent to prepare them anyway this year because she could not recall this step having been taken at any point during the 12 years she has been taking minutes. She noted that some of the MTA information was included with the resolutions, and that if a salary increase were adopted by resolution it would be subject to the right of public referendum. If that were to occur, the increased salaries would take effect on the date specified in the resolutions rather than being kept at the lower level pending a referendum petition drive and/or election, but if a referendum defeated the salary increase the salaries would be rolled back to their previous levels after the election results were certified.

A question was raised about how board members could vote on their own salaries. While the three officers could recuse themselves from votes on their own salaries, if the four trustees recused themselves regarding their positions' salaries there would not be a quorum remaining to take a vote. Bzdok agreed that if board members could not vote on their own salaries it would be impossible to set them, and stated that it is not required that a member recuse themselves.

- a. **Supervisor**: Kladder recused himself.

**Motion by Hardin, support by Zarafonitis to adopt Resolution #R-2008-12 as presented, setting the Supervisor's salary at \$30,000/year. Motion carried by unanimous roll call vote.**

- b. **Clerk**: Dunville recused herself.

**Motion by Hardin, support by Takayama to adopt Resolution #R-2008-13 as presented, setting the Clerk's salary at \$37,008/year. Motion carried by unanimous roll call vote.**

- c. **Treasurer:** Hardin/Scott. Unanimous roll call 14

**Motion by Hardin, support by Scott to adopt Resolution #R-2008-14 as presented, setting the Treasurer's salary at \$34,510/year. Motion carried by unanimous roll call vote.**

Andy Andres Jr. asked if any salary figures from comparable communities had been obtained to see if the salaries were at appropriate levels. Vreeland stated that no studies were performed this year, but information is available by calling around to local townships and by asking the MTA for data. One of the fine points to this is deciding which communities are comparable, whether the key factors are proximity, population, annual budget, growth or some combination.

- d. **Trustees :**

**Motion by Hardin, support by Takayama to adopt Resolution #R-2008-15 as presented, setting the Trustees' salaries at \$6,000/year plus a \$75 per diem for special meetings. Motion carried by unanimous roll call vote.**

14. **GTRLC Agreement:** Acme Township contracts with the Conservancy for the services of Brian Bourdages, Farmland Protection Specialist, to administer the farmland preservation program. In theory, 25% of Brian's time is allocated to Acme Township and the County Farmland Program, and 75% of his time is allocated to Peninsula Township and paid for by them. In reality over the past few years, he has, with Peninsula Township's blessing, spent well more than 25% of his time assisting us. This would be the fourth year of the contract. The first year was at \$10,000, the last two years were at \$14,000, and this year is proposed to remain at \$14,000.

**Motion by Zarafonitis, support by to approve the Contract for Services with the GTRLC as presented. Motion carried by unanimous roll call vote.**

15. **Homeland Security Intergovernmental Aid Agreement:** Kladder reported that the mutual aid agreement was discussed at the last Metro Board meeting. It permits intergovernmental cooperation in case of homeland security-types of emergency and establishes the prices for services. For Metro Fire to participate, each member township must ratify the agreement. The agreement is for nationwide cooperation between any governments adopting it.

**Motion by Scott, support by Zarafonitis to adopt Resolution #R-2008-16 as presented. Motion carried unanimously.**

## G. PUBLIC HEARINGS:

1. **Public Hearing to consider adoption of proposed General Appropriations Act (2008-09 Budget)** : Vreeland began by explaining the statement that appears in the public hearing notice in the newspaper, as it always generates many questions. The statement says that the proposed millage to be levied will be a subject of the discussion, and it is printed in boldfaced 11 point print, quite a bit larger than the rest of the notice. The precise wording of the sentence and the typeface are specified for the public hearing notice by state law. They do not mean that the township is seeking a change in the millage levy. She quoted the rates of next year's general operating and farmland preservation millages after the Headlee reductions are applied to this year's rates, and noted that the special assessment rate for police and fire protection will be established at a later date and may or may not be different from last year.

There was brief discussion of the items highlighted in the detailed memo regarding changes since the prior discussion. As mentioned earlier, some projected capital expenditures and transfers from the general funds to various special funds proposed to occur in the coming fiscal year were moved to the present fiscal year. Vreeland added to the expected revenue for the cable franchise for next year in a manner consistent with what was added for this year. Healthcare costs were adjusted slightly, and potential amounts for the supervisor and treasurer were added. Summer park help costs were decreased somewhat. All of the key changes made were presented in the detailed explanation memo in boldface with yellow background highlighting for ease of use.

The only change suggested to the budget presented was to reduce the projected reimbursements revenue to \$29,000. The original project was based on an expectation of charging \$3.72/parcel to TCAPS for summer school tax collection, but the board agreed to reduce the amount to \$2.50/parcel to be consistent with Elk Rapids. Doris Boltres estimated that this would reduce revenues by about \$5,000 for the year.

Projected general fund revenues for 2008-09 are \$807,171. Projected general fund expenditures are \$784,305, for a projected budget surplus of \$17,866. This is larger than the surplus initially projected for the current fiscal year by about \$10,000, and the actual surplus for this year is much better than projections even after increased transfers to special funds and capital expenditures.

#### **SUPPORTING DOCUMENTS:**

- A. [Detailed memo explaining the budget proposal](#)
- B. [General Fund Budget Worksheets](#)
- C. [Special Funds Worksheets](#)

#### **Public Hearing opened at 10:05 p.m.**

Jay Zollinger, 4232 Williamston Court, asked why the Supervisor's salary is being kept as low as it is. He is uncertain if it should be raised fully back to \$37,000. It is unknown who the Supervisor will be after November, but the rate paid to the position should be fair in relation to comparable townships or situations. He wondered if the request to keep the rate lower is related to personal requirements of the incumbent rather than any other reason.

Mr. Veliquette feels there is a disparity between the pay for various positions and the performance of the current position occupants. He is uncertain to what extent Mr. Boltres has been performing his duties. He is worried about the safety of the township documents in his home office, and how the Treasurer's job is being performed on a daily basis. Mr. Veliquette also believes that the proposed payment for legal assistance is inappropriate. He consulted with someone who works for a different township and they very rarely need to ask questions of legal counsel and pay only \$45/hour when they do. Mr. Veliquette believes that the current legal counsel is inappropriate for the township and has provided bad advice relative to the township's interaction with several township developments. Acme still does not have a Meijer store. Mr. Veliquette finds it amazing that there have been so many resolutions adopted unanimously this evening. He believes the budget should be balanced by removing legal fees. Why does legal counsel attend so many township meetings?

Kladder, in response to Mr. Zollinger's inquiry, was that former Supervisor Kurtz asked to have his salary reduced in consideration of the increased assistance with some responsibilities from the Township Manager. Kladder personally is not working for the township to make money.

#### **Public Hearing closed at 10:13 p.m.**

**Motion by Zarafonitis, support by Scott to adopt the Acme Township General Appropriations Act for Fiscal Year 2008-09 as amended. Motion carried by unanimous roll call vote.**

**H. REPORTS**

1. **County Commissioner's Reports** – Larry Inman: received and filed.
2. **Parks and Maintenance** – Tom Henkel: received and filed.
3. **Sheriff's Deputy** – Mike Matteucci: received and filed.

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

Mr. Veliquette felt the meeting was “very productive.” He thanked Kladder for his work on the farmland PDR program, feeling that if the program can be run as well as the one in Peninsula Township it will be good for Acme. Mr. Veliquette is concerned that on tonight’s agenda only one new business-related matter was approved. He believes this is in part due to the *Traverse City Record Eagle* and the township’s legal counsel. He believes the public needs to know if their township officials intend to sue local developers. He feels that people have been denied property rights for four years. Creation of a Meijer store would provide increased revenue for local services and schools. He believes that there are people who were determined to prevent any development in the township. Mr. Veliquette asserted that Bzdok stated that he signed documents stating that various township officials would release any potential suits or claims, but only two individuals have recently stated that they absolutely will not try to sue. Mr. Veliquette is glad that the proposed farm market was approved, but feels that Mr. Bruening was treated differently than the Veliquettes were when they made a development proposal. He believes he was greeted with less enthusiasm and an attempt to pass laws to prevent development by them.

Mr. Zollinger asked about Holiday Road. He calculated that about 140 parcels of land might have to pay about \$5,000 each or \$260/year to improve the road if amortized over 20 years. Why is there such a fuss over such a small amount?

Steve Feringa, speaking as a Tribal member rather than an employee, spoke regarding the 2% allocation grant. He recommended submitting two applications for both projects, so that perhaps if one fails the other might be approved. The worst that can happen is that a request might not be funded. He also stated that a fact not widely reported is the state has violated a gaming compact negotiated with them in good faith. As a result the Tribe stopped paying the required 8% to the state, but they have voluntarily continued making local 2% payments. Not all tribes have continued the 2% payments. He suggested we thank the Tribe for this fact.

Steve Smith, Village at Grand Traverse, perceives that Acme is on the “back burner” when it comes to road improvements. It seems like roads in other townships are generally in better condition. The County says it doesn’t have money to repair the roads, but it took longer than a few years for the roads to deteriorate.

Mr. Feringa reported that the Tribe is paying to have the Road Commission repave Bates and Lautner Roads from their M-72 intersections northwards to the next county road intersections.

**Meeting adjourned at 10:25 p.m.**