



ACME TOWNSHIP REGULAR BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, August 12, 2008 7:00 P.M.

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

Members present: D. Boltres, D. Dunville, R. Hardin, W. Kladder, P. Scott, E. Takayama (7:05), F. Zarafonitis
Members excused: None
Staff present: S. Vreeland, Township Manager/Recording Secretary
C. Bzdok, Legal Counsel ()

INQUIRY AS TO CONFLICTS OF INTEREST: None noted

APPROVAL OF AGENDA: Motion by Zarafonitis, support by Hardin to approve the agenda as amended to move consideration of the resolution of appreciation to the Tribe to item D3, move the presentations by the oil and gas exploration lease bidders, consideration of the amendment to the Fire Prevention Ordinance and of the Station 8 lease agreement to directly before the public hearing, and add consideration of creation of a Communications Advisory as item F8C. Motion carried unanimously.

A. CONSENT CALENDAR:

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

RECEIVE AND FILE:

1. **Treasurer's Report** as of 06/30/08
2. **Clerk's Report** as of 08/02/08
3. Draft Unapproved Meeting Minutes:
 - a. **Planning Commission:**
 1. **07/14/08**
 - b. **Zoning Board of Appeals 7/10/08**
 - c. **Farmland Open Space Advisory 7/24/08**
 - d. **GT County DPW Sewer & Water Committee Draft Meeting Minutes 6/13/08**
 - e. **Metro Fire**
 1. **Board Meeting Minutes:**
6/24/08 and **6/30/08**
7/03/08 and **7/18/08**
 2. **July Newsletter**
 - f. **Road Commission Meeting Minutes 6/4/08** and **6/25/08**
 4. **Planning Commission Notes from 7/28/08**

ACTION – Consider approval:

5. **Township Board meeting minutes of 07/08/08**
6. **Accounts Payable** of \$230,819.76 through 8/2/08

Motion carried by unanimous roll call vote.

B. LIMITED PUBLIC COMMENT: None.

C. REPORTS:

1. **Sheriff's Deputy** – Mike Matteucci: received and filed.

2. **County Commissioner's Report:** – Larry Inman: 07/10/08 and 07/25/08: received and filed
3. **Parks and Maintenance** – Tom Henkel: received and filed.
4. **Monthly Road Commission Manager's Report** – Mary Gillis: received and filed.

D. SPECIAL PRESENTATIONS:

1. **Certificate of Appreciation to Pat Collins for service as a Station 8 Volunteer Firefighter:** Kladder read the certificate to the public and Mr. Collins, who served for 53 years as a volunteer firefighter before retiring earlier this year. Mr. Collins expressed appreciation and thanked all who have volunteered throughout the years. The first fire department was at the barbershop, where they kept ladders and buckets. They graduated to a Jeep firetruck after asking for community donations. The first fire run he went on, he and the person he was with accidentally drove past the fire, arriving at the scene only after a fire chief had put out the fire. He feels that Metro is one of the best departments in the state.
2. **Certificate of Appreciation to Tom Henkel for service as Station 8 Captain:** Kladder read the certificate to the public and Henkel, noting that Henkel is very mechanically inclined and has maintained and modified the equipment well. The first fire he helped with after moving here was a grass fire. There was no standard fire hose on the fire truck that he could see, and his first impression was that they were too poor to afford hose. He responded to a grass fire at the very same spot earlier this spring, which seemed like an omen for retirement.
3. **Consider adoption of Resolution of Gratitude to GT Band of Ottawa & Chippewa Indians for funding repairs to N. Lautner and N. Bates Roads:** Kladder read the proposed resolution. Robert Kalbfleish, Land & Roads Management Director for the Tribe, was present to accept a presentation copy of the resolution.

Motion by Scott, support by Zarafonitis to adopt Resolution #R-2008-20 Expressing Gratitude to the Tribe for Funding Improvements to N. Lautner and N. Bates Roads.

E. CORRESPONDENCE:

1. **07/17/08 Letter from Wolverine Power Cooperative regarding installation of new high voltage transmission lines:** received and filed.

F. NEW BUSINESS:

1. **Consider potential non-developmental Oil & Gas lease(s) for Sayler Park and Yuba Cemetery:** Fred Van Hoesen, O.I.L. Energy gave the first presentation. They have filed a pooling application and have drilled a well in Section 18 where Sayler Park is located. Currently they can drill 7 wells in this area; with the township's participation they would be able to drill 8 wells. They are offering a \$210.00/acre signing bonus for a 2 year primary term lease with a 1 year option, and 1/6 royalties free of costs except for a share of treating (including CO2 and HS2 removal and transportation costs after the outlet of the Central Production Facility.) Mr. Van Hoesen is unsure whether the current well has found gas or not. Several wells have also been drilled in Whitewater Township. He doesn't know how long it might take to find out if there will be producing wells in this area or not. They are drilling in Antrim Shale that runs throughout the state; in this area efforts are exploratory and have not yet led to production.

Kladder asked about paragraph 18, which says that wherever the number 1/8 appears, 1/6 will be substituted, and why the document wouldn't just say "1/6." Mr. Van Hoesen stated that this is standard state 1988 lease document, and that 1/8 is the number in that standard document. Such changes are always made in the fashion represented in his document. Kladder asked about how gas migrates underground and whether a well drilled far from township property within an 80-acre area would pull much gas from under our property; Mr. Van Hoesen said this is unpredictable.

Mr. Van Hoesen noted that he is offering a larger signing bonus than Evergreen. It can take over 4 years for royalties to begin after signing, if they come at all.

Dorrance Amos and Bill Derman were present to represent Evergreen Preservation. He agreed that the key difference is the “bird in the hand vs. the bird in the bush.” Evergreen offers higher royalties (starting at 3/16 and potentially moving up to 1/5) and fewer production costs than O.I.L. – no charge for removing elements or transportation, and a lower signing bonus. Mr. Derman also stated that their non-development paragraph is different than O.I.L.’s, and was drafted by Acme’s attorney and inserted in the lease agreement entered into several years ago with Evergreen for non-developmental leasing rights for the Yuba Creek Natural Area. He said that if the township does not sign with either firm, it could be “compulsory pooled” by the state, which won’t allow for land to be left out of 80-acre exploration and development tracts that could otherwise be formed. Sometimes companies will swap leases to complete 80-acre tracts. Compulsory leases will generally be the lowest offer a company makes in an area, whereas if there is a swap of previously leased properties the company ending up with the lease has to honor the original lease terms. Evergreen offers a standard 3-year lease term. They have drilled on the Morrison and Sayler farms off Bates Road.

Zarafonitis noted that these are non-development leases, but paragraph 3 talks about installation of roads. Mr. Derman replied that nothing was taken out of the standard document, but other provisions were added that specifically override the other standard sections. Zarafonitis also asked about the language allowing “pooling”, which means the combination of a number of properties into the 80-acre tracts required for drilling.

Kladder asked why Evergreen submitted two separate proposals for Yuba Cemetery and Sayler Park, whereas O.I.L. made a combined offer. He originally submitted the separate proposals before the open bidding process began for both parcels. Vreeland stated that the Evergreen submission was held sealed until the bid opening date and time.

Mr. Van Hoesen stated that the difference between the eventual royalties between the offers would only be approximately \$22/month, and a minimum of 4 years out, even with the difference in how the production costs are handled. Mr. Derman asked if the cost for CO2 removal is being guaranteed at a certain price in this example; Mr. Van Hoesen stated they cannot guarantee it because they have no control over it, but this is an example prepared by their accountants. Variables also include the amount of gas per day that each individual well will produce, which will vary.

Kladder suggested that because we have not received feedback from our attorney, and it might be beneficial to wait to make the decision until this is received and to also create a spreadsheet to go through the numbers. Scott observed that the township went through this process not too long ago, and the lease agreements are not substantially different from them except for the properties involved. He is unsure what difference there might be this time in the choice. Takayama agreed, and Hardin stated that he is also leaning towards the Evergreen offer. The initial payment may not be much, but costs tend to rise into the future. Boltres and Dunville agreed with Kladder that it might be beneficial to run some numbers. Mr. Amos stated that he has done some math and even recognizing that there are many future cost and production variables he felt the difference in the offers over a 40-year well lifespan lead to a conclusion that for his own property he might make double with the Evergreen offer over the O.I.L. offer. Wells in some areas have produced 25 years and are going strong, 40 is considered average, and some have been producing for over 60 years with no production falloff.

Motion by Scott, support by Zarafonitis to accept the lease offers from Evergreen Preservation.

Dunville would still like to see some figures, just for due diligence. Scott generally agrees, but the prediction would be so unreliable. Production costs and gas sale prices in the future are volatile. Some wells have more product clean-up costs than others, “sweeter” gas vs. “sour” gas.

Motion carried by unanimous roll call vote.

2. **Consider Resolution Amendment to Acme Township Fire Prevention Ordinance # 2005-03**: Brad Schnaidt from Metro Fire made the presentation. An update in the language of the existing ordinance is proposed to recognize and update from the 2003 International Fire Code to the 2006 International Fire Code as specified by language in the ordinance that when the State Construction Code office changes editions, which occurred on August 1, so does Acme Township.

An associated change is adoption of a new fee schedule. The fee schedule previously adopted was never used because Metro Fire had a contractual agreement with County Construction Code that Metro’s fees would be charged through the County construction permitting and fee billing process. Then Metro billed the County for their actual costs. The County is suspending this agreement as of January 1, 2009. For Metro to continue doing plan reviews and inspections in Acme, East Bay and Garfield Townships, they are asking that each township adopt a fee schedule accurate reflecting actual costs to do the reviews and inspections. The fees will be paid by developers who drop off their plans for review – a user fee rather than a community-wide fee. The County fee structure is dissimilar to Metro Fire’s schedule, being based on size and construction of building, modified through a formula that decides how much of the Construction Code operating budget the County has decided should be recovered through user fees. Metro charges a flat fee based on size of building, type of alarm system, number of sprinkler heads and the other items specified in the fee schedule provided. Metro’s fees are based on their 2007 actual wage and overhead costs.

Kladder remarked that the Fire Board does not consider this a profit center for the department, but a break-even proposition.

Vreeland reported that Metro Fire attorney Chuck Judson has not provided an opinion yet, so the Resolution could be adopted on the basis that no substantive changes are received in the future.

Motion by Takayama, support by Scott, to approve Resolution #R-2008-21 amending Acme Township Fire Prevention Ordinance #2005-03 as presented, contingent upon receiving no substantive changes to the proposed ordinance amendment from Chuck Judson. Motion carried unanimously.

3. **Consider proposed lease Agreement with Metro Fire**: Having a formal lease agreement was Kladder’s idea, rather than having a verbal understanding. Bzdok is satisfied with the document. The cost sharing arrangements for utilities and services for the shared building will be reviewed at least annually.

Motion by Takayama, support by Zarafonitis to approve the Lease Agreement with the addition of a clause requiring review of cost sharing on an annual basis. Motion carried unanimously.

G. PUBLIC HEARINGS:

1. **Public Hearing to consider whether or not to adjust sanitary sewer monthly user fees**: When user fees were raised last year, for the first time in 7 years. Vreeland summarized the staff memo, explaining the various attachments.

Public Hearing opened at 8:27 p.m.

Nels Veliquette, 311 S. Maple Street in Traverse City, owns property in LochenHeath. He asked if the township is planning to take over the LochenHeath on-site water and sewer systems, and if so when. Vreeland replied that there are agreements originally executed in 1998 regarding the PUD portion of the project and signed again in 2005 regarding the OSD portion, between LochenHeath and the township stating that the township may take over ownership and operation of the system at any time upon a certain notice period, and that all of the construction permits from the DEQ have been issued in the township's name so the state is expecting us to take the systems over. The township and legal counsel are currently considering how to proceed with this process, given County DPW requirements that when we take over a privately-constructed system it is supposed to be in complete and good working order and come with one-year bonds in the amount of 50% of construction costs. While we work it out, DPW employees continue to inspect the existing on-site water and sewer systems on a frequent basis and they alert us if any concerns are found and we in turn discuss them with Pinnacle. It's an important health, safety and welfare issue to us for the existing and future residents.

Gene Veliquette, 8369 Elk Lake Road in Whitewater Township, asked whether the number of benefit sales last year compare to projections. He also feels that 5% operation cost increase projections are optimistic, based on his experience with his farming operation.

Jay Zollinger, 4232 Williamston Court, heard that under the current assumptions the fund could be depleted in November 2010, but what would increases take that date to. A \$3/month increase would have a positive balance at the end of 2010. Mr. Zollinger asked whether, if the fund would be depleted at roughly the same time even with a \$1 or \$2/month/benefit increase, it would be wiser to not raise the fees at all and find other ways to address the situation.

Public Hearing closed at 8:42 p.m.

Rates can be raised or lowered. Zarafonitis noted that as a business owner with multiple benefits it would be more difficult for him. Scott observed that individuals and business owners alike are feeling the economic pinch.

Motion by Zarafonitis, support by Takayama to leave rates at \$25/month/benefit.

Hardin believes that now would be a good time to hold off on an increase and help the general public. Kladder observed that there needs to be enough money in the fund to make significant bond payments every several months. Vreeland noted that the DPW will present its proposed budget for next year at next month's meeting. Two of our bond payments will pay off in late 2011. We could adjust the model for actual DPW expenses to date this year and the proposed budget for next year, display through 2011.

Motion amended by Zarafonitis, with support from Takayama to leave rates at \$25/month/benefit and bring updated projections back to the Board at the October meeting. Motion carried unanimously.

F. NEW BUSINESS (continued):

4. **Establish Planning Commission Major Interest Area Seat Assignments:** A requirement of the amended planning enabling acts is that the township establish major interest assignments for each Planning Commission seat. Each Commissioner must represent their assigned interest focus in the decision-making process, and maintain a level knowledge about developments within that focus. Vreeland noted that the Commissioners just received a copy of the memo last night, and several are present so the Board might solicit their comment. Jay Zollinger expressed some surprise that suggested assignments were proposed for individuals

without talking to them first. The law allows for the assignments to be made over a 3-year period as positions are up for re-appointment, and this may be a good way to approach it to give Commissioners and potential replacement Commissioners and the township time to evaluate which people might be good fits for which areas of interest.

The proposed list of assignments was developed in part by referring to suggestions from the Michigan Township Association. Hardin suggested that if assignments are made and fits aren't the best with individuals, we could entertain swapping of assignments.

Motion by Takayama, support by Dunville to approve the list of major areas of interest, without the specific individual names attached.

Belatedly the Board asked for comment from Commissioner Doug White, who declined comment.

5. **Consider adoption of proposed township standard Farmland Conservation Easement document:** Farmland Preservation Specialist Brian Bourdages stated that part of the purchase of development rights (PDR) process in most communities is having a standard conservation easement document. This helps to ensure that landowners and the township have a conservation easement document that complies with township and/or county ordinances regarding allowed and prohibited land uses on lands where development rights have been purchased. There are usually terms that are negotiable, and some that are non-negotiable. Bourdages worked with attorney Scott Howard from Olson, Bzdok & Howard to develop the document. It could change over time depending on dictates of grant funding opportunities or changes to the local PDR ordinance. Bzdok observed that this is no different than Evergreen offering the same lease terms to all of their clients.

Hardin observed that one prohibited action in the proposed easement is mineral extraction (paragraph 6D). If a farmer has already leased their mineral rights and has exploration underway, would that be grandfathered? Bourdages noted the language that prohibits certain types of mineral extraction but exempts some from prohibition – allows them – through other paragraphs referred to in 6D. Surface mining of materials is prohibited, but oil and gas drilling would not be. This was recognized as a key issue, particularly in terms of how the federal farmland program would treat this activity. Restrictions were removed from the latest federal farmland bill, and Bourdages is going to Lansing tomorrow to address the legislature and encourage them to regulate state farmland funds accordingly. The proposed easement also seeks to conform to IRS regulations. Hardin suggested that the language could perhaps be clarified – if he misread it others might too. Bourdages state that current state conservation easements allow wells as long as no more than 1 acre is disturbed. The proposed easement differs from those used by the Conservancy on sensitive natural lands, the latter being generally more restrictive. Flexibility and adaptability are keys to farmland protection documents.

Zarafonitis asked about a provision on page 12 about what might happen if a conservation easement must transfer from the township to another entity. Bourdages stated that this is for the rare event that the township might cease to exist, and allows the perpetual conservation easement to be transferred to an enduring organization such as the County.

Motion by Takayama, support by Zarafonitis, to adopt the standard Acme Township Farmland Conservation Easement as proposed. Motion carried unanimously.

6. **Consider retaining independent legal counsel to determine status of Zoning Ordinance Section 8.26, Town Center Planned Development:** Vreeland summarized the staff memo. The township needs to ascertain whether Section 8.26 of the ordinance exists but we are prevented from using it until or unless it is amended to cure a defect Judge Power ruled that it had pursuant to litigation regarding the Village at Grand Traverse, or whether it does not exist

anymore pursuant to his ruling. The answer to this question will determine whether the section appears as is in the proposed new ordinance draft or with changes designed to cure the defect. Bzdok has stated that it would be advisable for the township to retain independent legal counsel to make this determination due to his firm's involvement in the case giving rise to the ruling. Kladder is making contacts with several potential service providers recommended by Bzdok, who believes that the answer will not be readily found in any book but will require careful thought by a planning and zoning legal expert. Two lawyers he suggested investigating are James Young and Richard Figura. Achieving a determination is important because the draft ordinance is set for public hearing at the Planning Commission at a special meeting on September 15, with potential review by County Planning in October and possible consideration by the Board beginning in early November.

Motion by Dunville, support by Takayama to use one of the lawyers suggested by Bzdok to assist us with determining the status and appropriate treatment of Zoning Ordinance section 8.26.

Scott asked what the determining factors would be between bids received. Cost and timeline are also factors. Kladder stated that Jim Young charges \$280/hour normally, and initially offered a rate to the township of \$140/hour. Most of the needed documents giving rise to the question are easily assembled; there would be some research and recommendation formulation time. We don't know how many hours the job might require; Bzdok estimated that 20 hours would be more than enough time for all facets of the project when asked. The township budgeted a total of \$33,000 for ordinance work this year, so this work would fall within that scope.

Motion amended by Dunville, with consent from Takayama that the Supervisor be authorized to accept a bid without further board action if under \$3,000. Motion carried by unanimous roll call vote.

7. **MDOT Enhancement Grant application for shoreline preservation project:** Vreeland summarized the staff memo about the status of three grant funding opportunities being pursued for the shoreline preservation project. A revised MDNR Trust Fund grant application was submitted July 31, and we received feedback on the original submission made April 1. Our initial projected score is 255, which about what Matt McDonough estimated and nearer the low end of the funding range. The feedback includes commentary that can help us supplement the application to increase the score prior to October 1. We are working on an MDOT Enhancement Grant of \$600,000. Applications are accepted on a rolling basis, and if we are successful we could expect actual funding during the state 2010 fiscal year. We also plan to submit a grant request to Rotary Charities by the September 2 deadline. Private fundraising efforts are also underway.
8. **Consider creation of three new Citizen Advisories and appointment of chairpersons:**
 - a. **Facilities:** This proposed advisory would examine all township facilities and determine if they are currently adequate to our needs. Township staff toured various local facilities on election day last Tuesday when the office was closed for use as the voting precincts. The township has been thinking casually about the need for new township offices and public meeting space back into the 1990s, when Mark Ritter began building the fund balance with a goal of paying for a new facility without a new millage or bond issue. We have explored adding a second story to the existing building, or relocating to the old Sand Trap restaurant, neither of which panned out. We are also sharing space with the fire department, and they need space to house on-call crews overnight. The offices are overcrowded for the staff, with Kladder and Vreeland sharing a cubicle, the Deputy Treasurer and Assessor sharing a cubicle, the Clerk and her Deputy sharing a small office, the Treasurer off-site, and the Zoning Administrator in a former coat-room. If the Treasurer wanted to relocate to the hall we don't know where to put their office, and if the voting public grows any further a

larger space will be required for the voting precincts. Small areas in the fire hall have been carved out for the sheriff's deputy and Henkel. Bill Boltres is willing to serve as the chairperson of this advisory if formed.

Motion by Scott, support by Takayama to create the Facilities Citizen Advisory and appoint Bill Boltres as the chairperson. Motion carried unanimously.

- b. **Marina:** The township has an opportunity to explore public acquisition of East Bay Marina. The concept has been warmly received by the DNR Trust Fund board and many members of the general public. Currently the marina is private, using Lake Michigan bottomlands leased from the state. Each person who has "purchased" a slip actually owns one share of stock in the marina corporation rather than truly owning a slip. One individual owns 37 of the 72 slips, a controlling interest, and is willing to sell them as a block. The marina is about 30 years old and in need of repairs. Potential acquisition of the marina is an intricate question that Kladder believes should have its own committee distinct from but working cooperatively with the Shoreline Preservation Advisory. If the Board would like to create the advisory, he has a proposed appointment for its chairperson. It was a difficult search – many have volunteered to participate on the committee but until today only one was willing to chair it. The Board generally supported the idea.

Jean Aukerman is the proposed chairperson. She is not a boater but has an extensive high-level background with Sears and Dow Chemical in marketing and communications. She teaches negotiations at Michigan State University and is on the board of the local Conflict Resolution Service. If appointed she would like to select a set of advisory members with diverse points of view, experiences and skills.

Motion by Zarafonitis, support by Takayama to create the Marina Citizens Advisory and appoint Jean Aukerman as the chairperson. Motion carried unanimously.

- c. **Communications:** Kladder feels that whenever an organization studies its needs, communication issues rise to the surface. The township has a newsletter that comes out periodically but many people would like it to come out quarterly. There may be opportunities to enhance the website, and institute other forms of communication. Gordie LaPointe has volunteered to chair such a committee to better inform the public.

Motion by Takayama, support by Zarafonitis to create the Communications Advisory and appoint Gordie LaPointe as the chairperson.

9. **Consider proposed budget amendment creating Heritage Advisory Special Fund:** The first task assigned to the Heritage Advisory has been the caretaking and cataloguing of memorabilia from Bertha Vos Elementary School. They will have some modest funding needs, which we propose to meet through private fundraising and grantwriting, but not using any money from the General Fund at this time. A budget amendment is proposed to create a new special segregated fund for this purpose.

Motion by Takayama, support by Zarafonitis to adopt Resolution #R-2008-22, first amendment to the 2008-09 fiscal year budget adding Heritage Advisory Fund #223. Motion carried by unanimous roll call vote.

10. **Discuss fuel surcharge on bill for 2008 Township Clean-Up Day:** Kladder summarize the memo provided by Vreeland. He noted that the original fuel surcharge was going to be over \$1,400, but he negotiated a reduction by half to the \$735.30 on the billing, subject to Board approval.

Mike Ascione from American Waste apologized for not including an indication of the possible fuel surcharge when contracting in February or explaining the cost increases they have experienced. They did agree to a 50% reduction from the national average for the fuel surcharge as a compromise. Hardin agrees with the principle of honoring the contract as written, but appreciates the gesture and recommends paying the surcharge as billed.

Motion by Hardin, support by Dunville to approve payment of \$735.30 from the American Waste invoice for fuel surcharges for Clean-Up Day. Motion carried by unanimous roll call vote.

H. OLD BUSINESS:

- 1. Consider remanding Zoning Ordinance Amendment #141 to the Planning Commission subject to an amended application from Immanuel, LLC:** Bzdok summarizes the packet materials, recalling that at the last meeting the Board voted to deny Zoning Ordinance Amendment application #141 as constructed at that time, amending the list of allowable uses in the R-1MH district. The Board asked for a resolution to be prepared accordingly for consideration at this meeting. In the meantime, the applicant has asked to amend the application to request a further split in the parcel zoning rather than a change to the allowable uses of the district, which is more in line with what the Board originally indicated they would prefer.

Motion by Scott, support by Dunville that at the applicant's request, the Township suspend any further action on Immanuel LLC's proposal to modify the list of allowable uses in the R-1MH district and refer the applicant's second amendment to its application for Zoning Ordinance Amendment #141 to the Planning Commission for recommendations as to whether (a) the amended proposal meets the criteria for a rezoning; and (b) the property proposed to remain in R-1MH zoning is of appropriate size and layout to support the possible development of a mobile home park. Motion carried unanimously.

- 2. Consider appointments to fill two vacant seats on the Planning Commission:** Kladder has interviewed three people for the two vacancies on the Planning Commission. His first appointment is for David Krause for a three-year term to expire July 15, 2011 and assigning him to the Housing/Communities major interest area.

Motion by Takayama, support by Zarafonitis to appoint David Krause to a three-year Planning Commissioner term ending 07/15/2011 and assigning him to the Housing/Communities major interest area. Motion carried unanimously.

Kladder is also reappointing Linda Wikle, and suggesting she be assigned to the Infrastructure major interest area. Because we must have only one Board member on the Commission, if she is elected to the office of Treasurer in November and because Hardin is the current Board representative to the PC, this position may become vacant again in November.

Motion by Scott, support by Takayama to appoint Linda Wikle to a three-year Planning Commissioner term ending 07/15/2011 and assigning her to the Infrastructure major interest area. Motion carried unanimously.

- 3. Consider appointments to alternate member seat on Zoning Board of Appeals:** no action this evening.

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

Andy Andres, Sr., 4946 E. M-72, objected to the appointment of Bill Boltres to chair the Facilities

Advisory, believing that Mr. Boltres resigned from his post as Treasurer due to conflict of interest caused by his lawsuit, with his wife Doris Boltres being appointed to complete his term. Mr. Andres also objected to a letter written to the newspaper by a female which he stated called people who were opposed to the current incumbents in the election “thugs and bullies.” He felt that it is a shame that Nancy Edwardson, who has worked for the township for about five years, was not included in the slate running for office with the incumbents, and that instead the incumbent slate chose to include Linda Wikle. He believes that there is problem with her running for office given that she has sold insurance products to the township.

Bzdok stated his understanding that Mr. Boltres resigned from the Board for health reasons. Bzdok consulted with him regarding the question of conflict of interest, and advised him that the only conflict issue that might arise meant that Mr. Boltres should not vote on any matter in front of the Board that involved his personal lawsuit. He also stated that Ms. Wikle would not be able to vote on a question of an insurance contract if she were selling it to the township, but should otherwise not have a conflict of interest.

Mr. Andres generally feels that long-term residents and taxpayers of the community are disrespected by the current township administration and the local court system.

Mr. Gene Veliquette thanked the Board for an efficient meeting. He stated a perception that it was efficient even though long because all matters were settled unanimously, alleging this occurs because of “Saturday meetings.” He is receiving monthly royalties from O.I.L. but Evergreen customers are not, so he hopes the township made a good choice regarding the leasing contract. Regarding the Planning Commission major interest areas, he feels most are designed to “preserve the status quo” and that the current administration is not attempting to attract economic growth to the township. He is unaware how many sewer benefits are currently in use in the proposed shoreline preservation area, but he does notice that the sewer fund is dwindling from month to month. He believes it would take a \$6/month/benefit increase to reverse this, yet we are considering reducing the number of benefits on line. The issue regarding the town center ordinance interests him, because he thought there was discussion at last night’s Planning Commission meeting about removing the section. What good is an opinion from an attorney if the one providing it will not guarantee to defend it in court? If the ordinances change, how are existing developments such as LochenHeath or one in process such as the Village at Grand Traverse impacted? He had more comments to make but was told he reached his time limit.

Linda Wikle, 7174 Deepwater Point Road, stated that she had already thought about what she should do with her insurance business if elected to office in November, particularly as a licensed agent. It would be against the law and a violation of professional ethics to sell insurance to a group and/or be responsible for servicing the account while serving as a member of the group. She has already arranged to have another agent take over Acme’s account and those of five other townships in November to ensure she is above reproach. She welcomes questions at any time – she’d be glad to discuss concerns without anger.

County Commissioner Larry Inman had to attend another meeting in Union Township this evening and was not here earlier. The County decided to keep Road Commission membership at three, but retained the names of applicants for potential expansion spots on file. Outlying townships such as Fife Lake and Union are expressing that they feel they need better geographic representation as spots open up. Leelanau and Benzie Counties have expressed interest in exploring a joint regional 911 call center, and discussions are in very early phases. The landfill surcharge will expire at the end of the year, and the County is likely to extend it for a year while seeking community consensus on the future direction that solid waste management should take. He appreciates Kladder’s request for plenty of advanced notice if anything will change so we can offer input. Some County Commissioners are strongly in favor of eliminating centralized recycling bins and having only curbside recycling available. The County has purchased software to enable video streaming on the Internet as part of updated to all facets of their public communication and education system. Video streaming will allow people to watch meetings on the website, indexed by subject so people can view only portions of

interest efficiently, on demand. The 2009 budget process will begin soon, with a flat and tight budget expected. Interest rates are down as are housing starts, while various employment costs are up. There was a recent compensation study which is under review and will likely lead to changes to wage structures to ensure that compensation is appropriate to both the local economy and counties of similar size.

Roy Challender stated that on July 14 at about 4:00 p.m. there was a head-on crash on Bunker Hill Road. It took 22 minutes for emergency services to respond. He saw one victim going into shock. The people who witnessed and aided at the scene would like to know why it took so long. Where was our sheriff's deputy that day? Vreeland observed that our CPO is not on duty every day; Mr. Challender responded that since we are paying for the special service, perhaps someone should be dedicated to covering for our usual officer on his days off. He also said that on August 1 when the polo meet was going on, traffic was backed up down M-72 to US 31. With the event becoming larger every year it is important to manage the traffic appropriately. Communicating about how we are trying to fix these issues in the newsletter would be welcome. Vreeland stated that the Monday after the polo match discussions had already started about what the problems with the traffic handling were and that the township, Road Commission, MDOT, Sheriff's Department and Alex Rheinheimer from Horse Sports by the Bay will work closely together for next year.

Mr. Veliquette requested an additional three minutes, which were granted. He stated he feels the Board is "rubbing the Planning Commission's nose" in things, having sent back items they have recommended several times. He received a township newsletter, although he doesn't know why since he isn't a resident. His wife thought it was a nice newsletter and indicated that all was well within the township. To investigate he researched information about real estate transactions historically. Where they used to be rising, they have dropped significantly compared to 2004 before the current administration took office. The township is appointing many committees and removing property from tax rolls, but Immanuel won't need a mobile home park in 4 years – the housing in Acme will be affordable for everyone if the trend continues.

Meeting adjourned at 10:45 p.m.