



**ACME TOWNSHIP REGULAR BOARD MEETING**  
**ACME TOWNSHIP HALL**  
**6042 Acme Road, Williamsburg MI 49690**  
**Tuesday, May 1, 2012, 7:00 p.m.**

**MEETING CALLED TO ORDER WITH THE PLEDGE OF ALLEGIANCE AT 7:00 p.m.**

**Members present:** D. Dunville, R. Hardin, W. Kladder, P. Scott, E. Takayama, L. Wikle, F. Zarafonitis  
**Members excused:** None  
**Staff present:** S. Vreeland, Township Manager/Recording Secretary  
J. Jocks, Township Counsel

- A. STUDY SESSION:** None
- B. LIMITED PUBLIC COMMENT:** None
- C. APPROVAL OF AGENDA:** Kladder added an oral report from himself under the second public comment section.

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

- D. INQUIRY AS TO CONFLICTS OF INTEREST:** Takayama expressed a conflict of interest regarding the proposed agritourism ordinance amendment. Kladder asked Jocks if he had a conflict of interest with the same item since he received a \$100 campaign contribution from Bob Garvey, an individual mentioned in connection with the ordinance amendment. All of the Board members expressed that they had received campaign contributions from him in 2008. Jocks replied that this ordinance is relative to all the agriculturally-zoned properties in the township and not specifically Mr. Garvey's. Jocks sees no conflict of interest at this time, but if Mr. Garvey eventually requests an SUP under the amended ordinance he may review the issue in greater detail. Mr. Takayama offered that he has additionally performed work for Mr. Garvey as a basis for his perceived conflict of interest.
- E. CONSENT CALENDAR: Motion by Takayama, support by Dunville to approve the Consent Calendar as presented, including:**

**RECEIVE AND FILE:**

1. [Treasurer's Report](#) as of March 2012
2. [Clerk's Report](#) as of 04/25/12
3. Draft Unapproved Meeting Minutes:
  - a. Planning Commission [04/23/12](#)
  - b. Zoning Board of Appeals [04/12/12](#)
4. [Parks and Maintenance Report](#) – Tom Henkel:
5. "The Metro Insider" Newsletter [April 2012](#)

**ACTION – Consider approval:**

6. Township Board meeting minutes of [04/03/12](#)
7. [Accounts Payable](#) of \$697,611.21 through 04/25/12 (recommend approval: Dunville)
8. [Charitable Raffle License Resolution R-2012-04 – Yuba Women's Club](#)
9. [Charitable Raffle License Resolution R-2012-05 - HOPE](#)

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

- F. ITEMS REMOVED FROM THE CONSENT CALENDAR:** None

## G. REPORTS:

1. **Sheriff's Report** – **Mike Matteucci**: Since it's the first of the month the April statistics are not ready yet. There have not been any recent major issues. Several months ago there were some break-ins at The Shores and a suspect is under investigation. The radar trailer is out of storage for the spring, the upgrades have been tested and seem to be functioning, and when the battery is charged it will be out on the streets.
2. **County Commissioner's Report** – **Larry Inman**:
3. **Farmland Preservation Program** – **Brian Bourdages**: The township was attempting to close on the Engle and Send easements by the end of March when the FRPP grant was due to expire. The township and Conservancy were able to procure oil and gas lease subordinations needed according to the terms of the grant from three of the four entities required: Liberty Energy, Chesapeake, and Trendwell, who were all assignees of original Evergreen leases. On March 22 the representative for Evergreen indicated that he would execute the assignments limiting the total possible number of wells to 5 over 300 acres. In exchange he wanted the landowners to sign new leases. The new lease drafts were not provided until March 29 and asked for rights over all of the landowners' properties and not just the properties involved in the development rights purchase. In the meantime the granting agency extended the grant deadline to July 31, 2012 because they had not finished reviewing the transaction documents. Otherwise they would not have extended the grant deadline. As of today the granting agency has signed off on the easement documents, so the only outstanding issue is obtaining subordination agreements from Evergreen. The township is actually seeking to close by June 30 because the grant program requires appraisals performed within one year of closing on the easements. The appraisals in hand expire on June 30. If they have to be redone there would be additional expense, and there is a potential for the valuations of the easements that have already been approved to be changed based on sales studies for the new appraisal period.

Kladder asked if the township might be able to take advantage of any additional FRPP grant money during the next 12 months. The application deadline for this year came prior to the township knowing whether it would make sense to apply. Bourdages is monitoring the status of federal Farm Bill and budget negotiations as these affect the availability of federal grant funds. It is unlikely that we would be receiving and utilizing additional grant funds from this program over and above what has already been awarded in the next 12 months.

## H. SPECIAL PRESENTATIONS/DISCUSSIONS:

1. **Holiday Road Repairs** - **Mary Gillis**: The Road Commission is asking East Bay and Acme Townships to partner on designing improvements to Holiday Road. Bids for design ended up at around \$24,400 when they had been anticipated to come in at as much as \$150,000, or 10% of the anticipated total \$1.5 million cost of Holiday Road improvements. The Road Commission is taking public comment on desired improvements. Commission and AASHTO design standards are being taken into account. The Road Commission is suggesting that each township contribute up to \$10,000 towards the design in an equal three-way split. They have approved a memorandum of agreement with the Grand Traverse Band of Ottawa and Chippewa Indians last week, as the Tribe has obtained a federal grant to fund the repairs. The Tribe and Road Commission have been working quietly on this possibility for about a year.

Scott asked if the Road Commission will be asking the township for an additional contribution towards construction. Ms. Gillis responded that they believe they may be able to complete basic road reconstruction using only the money the Tribe has allocated. If there are "add-ons" that the townships request such as additional turn lanes, bike paths, extra shoulder widths, etc. there may be a request for the townships to cover the added costs. When the base design to AASHTO standards is created the townships and the public will be invited to review and comment. The first public meeting is tomorrow at 2:00 p.m. at the Road Commission offices. Ms. Gillis will make sure that both townships receive copies of all the

materials. She does not think that construction will start until 2013.

Takayama asked if the AASHTO standards include multi-modal transportation features. Ms. Gillis stated that the Road Commission is looking at this project from a Complete Streets perspective. In conjunction with TART they did look at the possibility of separated bike paths. However there is little extra right-of-way, so to create separated bike paths would require someone to purchase additional right-of-way from private landowners. They will also work with BATA to understand their needs, as well as the general public's wishes.

Kladder recalls that in about 2006 East Bay and Acme Townships paid for some surveys and preliminary design concepts for Holiday Road. Some of the potential designs suggested left turn lanes at two or three key busy intersections to keep traffic flowing uphill more smoothly, particularly in slippery winter conditions when momentum can make the difference in whether or not you successfully get up the hill.

The project area is planned to begin at the Five Mile Road intersection and end where Holiday Road becomes a seasonal road. Hardin asked if the project area would have to be shortened if costs are higher than expected or to provide money for additional design features in the middle. Ms. Gillis responded that the project was scoped by the Bureau of Indian Affairs as conceived and they might or might not allow such a change.

**Motion by Dunville, support by Scott that the Township spend up to \$10,000, as its 1/3 share of the Holiday Hill Road from the Township Improvement Revolving Fund in the 2012-13 Budget. Motion carried by unanimous roll call vote.**

**I. CORRESPONDENCE:**

1. [2012 TBA ISD Summer Tax Collection Agreement](#): received and filed.
2. [Letter of resignation from Pat Yamaguchi](#): received and filed.

**J. PUBLIC HEARINGS: None**

**K. NEW BUSINESS:**

1. [SUP/Site Plan Application 2012-02P Goodwill Industries](#): Vreeland summarized the key points of the development application as reviewed by the Planner and Planning Commission. Ray Steffner, Director of Retail, gave a brief overview of the plan. Goodwill perceives a need for a second retail facility to serve the general public and Acme as the general area in the region where the new capacity would be beneficial. Engineer Bill Crain reviewed the details of the site plan. He noted that MDOT is requesting that the access driveway allow left and right turns in but prevent left-out turning movements due to the proximity of the driveway to the M-72/US 31 intersection. The site plans shows five truck loading spaces as required by the zoning ordinance, but after discussion with the Planning Commission the applicant will seek a variance to reduce the number to three as being more reasonable. Goodwill is also seeking an additional variance to the requirements for solid visual screening alongside the parking lot where it abuts the Juniper Hills condo association. The condos are 50' higher in elevation than the subject site so perimeter plantings would likely make little difference. Mr. Crain stated that there is a significant stand of mature pines that screens the parking area from view by the condos.

The construction of the building is proposed to be steel, with the northern façade covered by a cultured stone product. The upper portion of the north elevation and most of the other elevations would be the blue color associated with Goodwill. The covered donation drive-up area will have two lanes and serve an anticipated 50 donors a day at an average transaction time of 47 seconds. Minimal queuing of cars is anticipated. The signage package has been reviewed to meet township and MSHDA standards and to meet fire safety standards according to Metro Emergency Services review.

Takayama asked how the elevation facing the condos will look; it will be predominately dark blue steel. The stand of red pines is about 60' up the hill from the building and about 35' tall and should provide significant visual screening. Kladder asked if the applicant would consider painting the rear of the building more of an earth tone color, as it would be least visible to the general public. Mr. Steffner stressed that the color is an identifying characteristic and feels it would look odd if one side is a different color than all the others. Both Takayama and Kladder felt that it would be beneficial to the Juniper Hills

Kladder inquired about the design of the parking lot lighting fixtures, and about the size of one of the proposed truck loading areas. He also asked about stormwater retention/detention. The existing sidewalk will remain, and there will be stormwater detention areas that would release water in emergency situations into the MDOT storm drain system. Kladder asked if rooftop units for heating and cooling will be screened from view by occupants of the Tower at the Resort, noting that this issue has been discussed before relative to other commercial buildings such as Tom's. The details of the systems have yet to be settled upon, but Mr. Steffner stated that he would look into the potential for screening of any rooftop units. There is no perceived need for cart corrals. Mr. Crain pointed out that the Planning Commission requested a bike rack near the main entrance and a striped pedestrian crossing area from the parking spaces to the entry. Takayama expressed concern about pedestrian and vehicle conflicts with the traffic pattern for the donation area. Mr. Crain noted that the goal was to route drop-off traffic so that it would not back up on the road and would end with cars pointed back at M-72 and ready to exit without having to turn around. Snow storage will occur in the retention basins.

Zarafonitis asked how discussions with MESA regarding fire suppression are going. Mr. Steffner noted that fire protection issues are not unique to this site, and they are working with MESA to explore appropriate options given the current lack of public water service. He understands that the township will be looking at the issue on a community-wide level in the near future.

**Motion by Wikle, support by Dunville to approve SUP/Site Plan application 2012-02P subject to the following conditions: approval by and meeting the conditions of all applicable agencies with emphasis on MDOT and MESA, and inclusion of demarcated pedestrian walkways and a bike rack, and ZBA approval of requested variances for loading docks and landscaping. Motion carried unanimously.**

2. [Zoning Ordinance Amendment 017 – Public Land Uses](#): Vreeland summarized the proposed ordinance amendment, which creates three categories of public land uses and indicates where they are permitted and whether by special use permit or as a use by right subject to site plan review.

Kladder expressed concern about the idea of locating essential services such as power substations in any district without special use permit review. This led to a general discussion of questions regarding the extent to which the township may lawfully impact the location of things like electric generation and transmission facilities. Bourdages mentioned that he discussed the creation of this ordinance with Patrick Kilkenny early on and he reviewed the draft today, and he feels that this is a good effort to carefully examine which types of public land uses if placed in the agricultural district should be by special use or by right with site plan review only.

Jocks asked the Board to list all of its potential questions and concerns for efficient research and response by staff. Scott's main concern related to any centralized utility-related substations or structures of significant size. Kladder agreed and added that he would like more information relative to sewage treatment plants and water towers.

**Motion by Scott, support by Wikle to continue the discussion regarding proposed Zoning Ordinance Amendment 017 to the June 5, 2012 meeting to allow time for additional questions to be researched and answered. Motion carried by a vote of 6 in favor (Hardin, Kladder, Scott, Takayama, Wikle, Zarafonitis) and 1 opposed (Dunville.)**

3. **Zoning Ordinance Amendment 018 - Agritourism:** Vreeland summarized the history and content of the proposed zoning ordinance amendment. The Board asked detailed questions about a variety of the detailed uses that might be allowed under the proposal. Kladder expressed some concerns about how well some of the permissible activities fit with preserving agriculture in the agricultural district. Hardin noted that there is dissent within the farming community itself about the extent to which a variety of activities should or should not be allowed, but many seem to agree that farmers need a range of ancillary activity options to help them stay in business. Scott is concerned about alcoholic items, which are not addressed in this proposed amendment. Vreeland reported that there is a separate winery section of the ordinance. It was also discussed that while there isn't complete agreement on these issues, the general concept discussed was about placemaking on farms, and about creating an experience that gets people out into the agricultural district and helps them develop an appreciation of the value of farmland. There was discussion that all of the uses under the proposed ordinance amendment are defined as agritourism activities, and the new definition of agritourism proposed requires that they happen not independently but as part of an active agricultural business. Just owning agriculturally zoned land is not sufficient; it has to be part of an agribusiness of some sort.

**Motion by Dunville, support by Zarafonitis to approve Zoning Ordinance Amendment 018.**

There was discussion about whether or not to remove restrictions on some of the uses to certain percentages of gross farm business income. It was recalled that at the Planning Commission discussions some of the farmers felt this would be important to leave in, even though it could be tricky to enforce. The primary way identified to do so would be to review the Schedule F from the farmer's federal tax return.

There was discussion at the Planning Commission that was ultimately dropped was whether or not there should be a minimum acreage requirement for agritourism uses. In the end, much of the discussion about not having one related to the fact that agricultural land in the township is already significantly fragmented and if not available for agritourism use might be more likely to leave production or preservation and be developed.

**Motion carried by a vote of 6 in favor (Dunville, Hardin, Kladder, Scott, Wikle, Zarafonitis) 0 opposed and 1 abstaining (Takayama).**

**A recess was declared from 9:17 p.m. – 9:27 p.m.**

4. **Preliminary 2012-13 Budget Discussion:** Kladder said we have the budget in front of us and there has not been any changes made. All departments submitted preliminary budget drafts to Vreeland. Following the narrative Vreeland led the board in a line by line discussion. Items mentioned for a Wish list: New copier? Beach groomer (aerates and helps kill bacteria as well as looking nice)? Could cost \$14 – 15,000 for one that pulls behind the tractor. Purchase chairs and voting booths this year? Park benches and barbecues...any of the improvement items Tom has requested. Repairs to Deepwater pathways and stake survey.
5. **Planning Commission Ordinance – Size of Planning Commission:** Since the size of the Planning Commission was increased in 2005 from 7 to 9 various people have asked if it should remain at the larger size or be decreased back down to 7. One of the concerns raised about doing so has been that two sitting members would have to be selected for elimination.

This year two of the three individuals whose terms of office expire in July 2012 have resigned, which makes it an opportune time to consider the question. The third individual whose term expires this year is only interested in being reappointed for 1 year instead of the full three 3 year term. Planner John Iacoangeli and County Planning Director John Sych both recommended returning to 7 members. Current Commissioners Virginia Tegel and Hardin both recommend leaving the membership at 9. Hardin feels that all the input received is valuable and the township has created a group that brings diverse sets of skills and points of view to the discussions which is important. Wikle sees that the planning functions of the township are going to be very busy this year and feels we will need more people and their unique experiences to handle the load effectively. Zarafonitis feels that retaining the people and the additional ideas is beneficial, and Dunville did not believe that just because all of the other townships in the County have 7 members means that we should too. Planning Commission Chair Jay Zollinger supports remaining at 9 members, but asked that we try to get more diversity in terms of where in the township they live. Current membership is concentrated in the Bunker Hill area. The average age of members is also relatively high. Some people feel that discussions are too long with 9 members, but a recent meeting with only 6 present demonstrated that the deliberations don't get any shorter. Takayama originally supported moving from 7 to 9 members. He has observed that with the larger group the less assertive personalities don't always speak up as readily as they might in a smaller group. With the larger group the Chair and the other members need to make an effort to solicit input from everyone.

Based on the discussion, the Supervisor will conduct the normal search for three qualified individuals for appointment in July to keep the membership at 9.

**L. OLD BUSINESS:**

1. **Sewer Authority**: Kladder noted an error in his memo: Zarafonitis participated in the phone call with Plante Moran seeking more information rather than Dunville. The phone conference was held several weeks ago but only received the promised follow-up letter yesterday after an additional phone call to see where it was. The other governments in the group considering whether to form a sewer authority are anxious to know whether Acme is willing to participate in the proposed Phase I study or not. The decisions that Plante Moran expects to be made after the Phase I study are listed in their letter.

Hardin felt that the new letter clarified the questions the Board had last month. Based on this letter, if it accurately represents what Kladder expects as a participant of the process to date, he would be more comfortable proceeding than he was last month.

Takayama asked if there has been any further discussion about how much of the fact gathering Plante Moran proposes to do for their fee has already been done or can easily be done by the DPW. Kladder said that in our phone conversation we indicated that we thought that most of the information they said they would gather is already fairly well gathered, and this was met with surprised delight.

Scott asked how the proposed study cost is proposed to be pro-rated. Kladder replied that costs have been proposed to be divided generally based on the same proportions each participating township has in the total DPW-managed sewer and water infrastructure.

Wikle believes that one of the attractive things about an authority is the idea that what are now separate systems managed by one entity but still somewhat separately managed could, instead, be fully managed as one integrated unit. Perhaps the study might find that the current structure could be made more efficient rather than migrating to an infrastructure authority.

Takayama asked what would happen to the DPW if the townships and/or the City create an authority. Kladder replied that the functions currently performed by the DPW for the entities that create an authority would be handled differently according to what the studies indicate is

the most fiscally and operationally efficient.

Kladder indicated that one of the most complicated concepts about creating a fully unified system is fairly sharing the costs for repairs to existing systems contributed to an authority by various governments that are in different conditions. One question is whether the people in one township should bear a part of the costs of a unified system related to repairing older infrastructure contributed by a different township.

One of the concepts driving the idea of an authority is that the overhead costs charged to the DPW by the county for the use of facilities and centralized departments such as Finance or Human Resources could be reduced under an authority. On the other hand, a new authority would still have costs for those types of activities.

An additional concern driving consideration of an authority was a feeling that the entities that own the infrastructure were under-represented on the Board of Public Works, which makes all the decisions. This concern has been addressed to some degree by a change in state law that has given each of the township Supervisors a seat on the BPW.

**Motion by Dunville, support by Scott to participate in the Plante Moran Phase I study about a sewer and water authority at a cost not to exceed \$5,000. Motion carried by unanimous roll call vote.**

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

- 1. Supervisor's Report:** Kladder met with MESA and Northflight today. Northflight has tentatively approved establishing an ambulance service in Acme Township. The proposed cost is \$80,000, which is significantly less than the full cost of the service. If the township could provide \$40,000 for the rest of the calendar year, they would start housing an ambulance and staff in the township on July 1 for 16 hours per day and covering 82% of the customary calls for service. Kladder does not expect MESA to contribute to the cost because the other member townships, Garfield and East Bay, have their own separate ambulance services and assessments to support them. A final decision by Munson will be made on May 15.

Last month the township formed a Placemaking Leadership Committee. After discussion with John Iacoangeli, Kladder is suggesting that the committee be expanded to include a business and/or property owner within the Shoreline District.

**Motion by Dunville, support by Hardin to expand the Placemaking Leadership Committee to include one Shoreline District business and/or property owner. Motion carried unanimously.**

Adequate water for fire suppression is increasingly becoming a concern, particularly in the business districts. Kladder is suggesting that the township begin to investigate the creation of a water district. As a first step an overview study of the township would be performed at a probable cost of \$2,000 - \$3,000. Kladder will meet with DPW Director Mike Slater next week to discuss the concept further.

The township has received the Gourdie Fraser report on the repair needs related to the sewer line inspections performed over the past several years. The opinion provided is that the repair needs are minor enough that it may not be necessary to hire an engineering firm to manage the process, and that the DPW might be able to manage it for us. Kladder will also discuss this with Mike Slater next week.

The application deadline for the Zoning Administrator position was yesterday afternoon. There are approximately 10 applicants to be considered. Vreeland asked Zollinger to participate in the interviews and assumes Kladder will as well. A hiring recommendation will

be presented at the June 5 Board meeting.

**Meeting adjourned at 11:37 p.m.**