

**ACME TOWNSHIP REGULAR BOARD MEETING  
ACME TOWNSHIP HALL  
6042 Acme Road, Williamsburg MI 49690  
7:00 p.m. Tuesday, January 6, 2004**

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

**Present:** R. Agruda, D. Amon, D. Hoxsie, N. Knopf, C. Walter  
**Excused:** None  
**Staff Present:** J. Christopherson, Township Counsel  
S. Corpe, Recording Secretary  
J. Hull, Zoning Administrator

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

**A. CONSENT CALENDAR**

**Motion by Agruda, support by Knopf to approve the Consent Calendar as amended to remove approval of the Accounts Payable for further discussion, including**

**RECEIVE AND FILE:**

1. Treasurer's Report as of November 30, 2003
2. Clerk's Report as of December 31, 2003
3. Draft unapproved minutes from December 22, 2003 Planning Commission meeting

**ACTION:**

4. Approval of Minutes from the December 11, 2003 special Board meeting
5. ~~Approval of Accounts Payable through December 18, 2003 in the amount of \$17,222.91~~

**Motion carried unanimously**

**B. LIMITED PUBLIC COMMENT:** None

**C. CORRESPONDENCE:** None

**D. SUPERVISOR'S REPORT given by Dave Amon:** Hoxsie provided Amon with a statement comparing the 2002 and 2003 budget cycles year-to-date. The difference year-over-year in revenues was only \$4.00. While revenue sharing has been reduced, funding has been recouped in other areas. Walter asked how we are doing compared to budget regarding legal and planning consulting line items; Amon responded that these items are the subject of the budget amendment later on the agenda. Knopf directed Walter's attention to the revenue and expenditure report provided this evening.

**E. COUNTY COMMISSIONER'S REPORT given by Larry Inman:** Every January the County Board holds a planning study session. This year it will be on Saturday, January 31 and open to the public. Time and place will be provided later. Most of the discussion will center on expanding and renovating the jail, expanding the space for the District Court and dealing with aging 911 equipment. A program of public information and feedback will be planned.

**F. SHERIFF'S REPRESENTATIVE REPORT given by Deputy Brian Bedora:** In December there were 110 assorted complaints, including a criminal sexual conduct and an armed robbery at the Shell station, 5 drunk driving arrests during a special holiday campaign, one runaway, 14 false alarms, and 11 liquor inspections. Deputy Bedora discussed the December 5th armed robbery at the Shell Station. He was working overtime at the time and came back from Interlochen to assist with the call. There was a multi-car pursuit, and some spike strips that have recently been supplied to every cruiser were used. Familiarity with smaller local roads was helpful in the capture of two of the three suspects during the car chase. Also, on

November 18 he was near GJ's at Five Mile and Holiday Road when he stopped a van. Both driver and passenger had outstanding warrants, which allowed him to search portions of the vehicle. He found crowbars and bags, and about 20 breaking and entering jobs were solved including 5 counties. One individual was local and one was from Benzie County. Deputy Bedora mentioned that the Sheriff's Department has two K-9 officers, one who primarily sniffs out narcotics and one trained for bomb detection. He had his first opportunity to work with one right after Christmas. He stopped at the Shell station and saw a damaged car that turned out to belong to the victim of a hit-and-run accident. While they talked, the gas station attendant pointed out a truck matching the perpetrator's description parked nearby. He investigated and discovered that the driver had fled on foot. The dog was able to track the person behind Mancino's through the snow, and eventually caught up with him on Bunker Hill Road.

- G. METRO FIRE REPORT given by Randy Agruda:** An offer for the position of Operations Chief has been made to Pat Parker from Battalion 9, and a response is expected shortly. The strategic planning committee is still at work; money will be the largest factor in the kinds of new services that might be provided in the future. Some office space is being added to the north side of the Parsons Road facility.
- H. ENGINEER'S REPORT given by Jim Minster, Gourdie Fraser:** Work on the relief sewer continues, with 90% of the new lines in the ground. Testing will begin soon. Upgrades to the Bunker Hill lift station will start after this Thursday. There is a meeting next Monday regarding potential sites and configurations for a new boat launch facility, and drawings should be ready for public presentation in February. Amon asked about the sewer bond sale on December 30. \$6 million was sold at 4.5% overall, with an initial rate of 2% - a very good rate. The remaining amount of the issue will be sold later on
- I. ROAD COMMISSION REPORT given by Chuck Walter:** Three Mile Road widening – all but two sections of property needed to be acquired for right-of-way have been finalized. One bridge has been approved by the DEQ, and they are working with the utility companies to route utilities underground between US 31 and S. Airport Road. Within the past several weeks, the TART Board has been working on acquiring two sections of right-of-way to extend the trail towards Bates. One section belongs to Lewis Griffith who declined to comment, but Amon mentioned that his understanding is that negotiations are going well. A section of the trail at Bunker Hill Road is also being widened.
- J. BUILDINGS AND GROUNDS REPORT given by Tom Henkel:** As soon as the ground freezes the ice skating rink will be up and running. Walter asked about progress on selling the old truck; Corpe stated that since the Board decided to advertise in the newsletter, which has yet to be published, no progress has been made. Knopf received approval to solicit sealed bids with a minimum of \$7,000.
- K. OFFICE & PLANNING COORDINATOR'S REPORT given by Sharon Corpe:** Corpe did not prepare a written report this month. She congratulated Hull, who successfully staffed his first ZBA meeting in December.
- L. ZONING ADMINISTRATOR'S REPORT given by John Hull:** Hull stated that Great Lakes Trim had some Dumpsters over and above those permitted and in non-permitted locations on their property, along with outdoor storage of pallets. Outdoor storage is prohibited by the business' Special Use Permit. He is seeking input from the Board, and invited Jeff Crandall, one of the partners in the business to address the Board this evening about containers that are still stored outside and partially screened by a fence surrounding the Dumpster pad and whether enforcement activity should proceed. Walter stated that he passes the property every day, and that the amount of material varies continually. He asked if Hull had discussed any alternatives with the Crandalls. Hull stated that he has not. Walter suggested that they request a minor modification to their SUP to allow outdoor storage pursuant to provision of an adequate visual screening such as a fence. Mr. Crandall stated that they store returnable crates to ship back in bulk at a cheaper rate. Hoxsie asked if a fenced area would be

permissible, and Corpe described several analogous situations. It was agreed that an amendment would be pursued in preference to continued enforcement.

**M. PUBLIC HEARINGS:** None

**N. NEW BUSINESS**

- 1. Approve application from Porath Construction for relief sewer installation progress payment #3:  
Motion by Knopf, support by Hoxsie to approve payment of \$195,512.88 to Porath Construction as Progress Payment #3.**

Walter said that Bob Otwell stated that the TART Board has been unhappy with the impact of the project on the trail. Minster reported that the Road Commission has been brokering discussion, and that much of the problem stems from MichCon attempting to drill in the same area after our installation rather than co-installing their new lines with ours. Another meeting is scheduled for later this week. Paving work will be coordinated in the spring to resolve the situation in a manner satisfactory – or better – to TART. Hoxsie noted that the funds for this payment will come from the countywide bond and not from Acme funds.

**Motion carried unanimously.**

- 2. Consider proposed Budget Amendment #R-2004-01:** Knopf prepared a proposed budget amendment to address higher-than-projected litigation and planning consultant expenses.

**Motion by Agruda, support by Knopf to adopt Budget Amendment #R-2004-01.**

Agruda noted for the record that this is reallocation between line items and does not represent increased expenditures overall.

**Motion carried unanimously.**

- 3. Consider Proposed Resolution #R-2004-02 regarding Board of Review Starting Date:** Corpe explained that our assessor, Dawn Plude, is asking that the Board consider adopting a motion allowing her to change the date of the second overall/first public Board of Review meeting for March 2004. A recent change in state law has made it possible to hold the meeting on either the Tuesday or Wednesday following the second Monday in March if a resolution is adopted, whereas previously the only allowable starting date was the second Monday itself. The language for the resolution came directly from a sample on the MTA website.

**Motion by Hoxsie, support by Knopf to adopt Resolution #R-2004-02. Motion carried unanimously.**

- 4. Consider proposed Amendment to Intergovernmental Agreement for the Cherry Capital Cable Council (CCCC):** The Intergovernmental Agreement for Coordinated Regulation of Cable TV is being amended to include Paradise Township and the Village of Kingsley as voting members of the Cherry Capital Cable Council, if we agree. Amon read the agreement amendment aloud for the public's benefit.

**Motion by Agruda, support by Knopf to approve the Amendment to Intergovernmental Agreement for Coordinated Regulation of Cable Television. Motion carried unanimously.**

Amon stated that the franchise with Charter Communications is being renegotiated this year, and so far discussions are progressing well.

5. **Consider participation in/contract with the 2004 County Gypsy Moth Suppression Program:** Amon provided a letter from the Grand Traverse Conservation District setting forth an estimate of local costs for Gypsy Moth Suppression in 2004. The projected cost per acre is \$12.00, which is \$3.00 higher than last year. Because of increased acreage area, costs could actually go down to about \$9.84/acre. At 392 acres, Acme's projected total cost is \$4,105.77. An agreement for spraying that would require a payment of \$2,912.94 before July 15, 2004 is provided for approval, along with a map of 7 proposed spray blocks. Several Township residents have called during the fall to see if their areas will be sprayed this year. Amon noted that the required payment date means that the expense could be planned for and paid from the 2004-05 budget year, which starts on July 1.

**Motion by Hoxsie, support by Agruda to approve the agreement to participate in the 2004 Gypsy Moth Program. Motion carried unanimously.**

6. **Approval of Accounts Payable through December 18, 2003 in the amount of \$17,222.91:** Walter asked about a credit card charge related to a hitch needed for the new fire/maintenance pickup truck to be able to haul the radar trailer. He was concerned because it appeared that \$400 was spent on this one item, Knopf stated that this is a peculiarity of the FundBalance computer program which prints the Accounts Payable Reports – if there are multiple individual items associated with one particular line item payment, only the first item is printed on the summary report. Walter was also concerned with add-ons to truck, wondering why the trailer hitch wasn't included with the truck when purchased. Henkel stated that to obtain a hitch on the vehicle when ordered would have necessitated moving up to a much pricier trim package with otherwise unnecessary features.

Walter asked why there was a line item showing a \$196 expense to take old tires to the landfill, feeling that the expense was steep and that disposal might have waited until the annual township cleanup day in May. Henkel responded that this was another case of the computer program printing only the first item included in the expense, and that he hauled quite a few more items to the dump at the same time. He tries to perform these types of tasks during the winter months when the parks are closed and his schedule is less pressing.

**Motion by Hoxsie, support by Knopf to approve the Accounts Payable as presented. Motion carried unanimously.**

O. **OLD BUSINESS:** None

P. **PUBLIC COMMENT/OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:**

Q. **ENTER INTO CLOSED SESSION TO DISCUSS TRIAL STRATEGY RE: PENDING LITIGATION**

**Motion by Knopf, support by Hoxsie to enter closed session to discuss trial strategy related to the CCAT lawsuit. Motion carried unanimously.**

**Motion by Hoxsie, support by Knopf to enter closed session to discuss trial strategy related to the Johnson Family lawsuit. Motion carried unanimously.**

**Public meeting recessed 8:12 p.m.**

**Public meeting reconvened at 9:50 p.m.**

Amon provided the Board with a list of articles he feels would be interesting to include in the upcoming newsletter.

Knopf provided the Board with a proposed letter for mailing to all township property owners, and asked that everyone review it and provide feedback at their earliest convenience.

Amon distributed information regarding the Downtown Development Authority (DDA) concept for the Board to read.

Walter would like to discuss the annual audit report at an upcoming Board meeting.

**Meeting adjourned at 9:55 p.m.**