



**ACME TOWNSHIP SPECIAL BOARD MEETING  
ACME TOWNSHIP HALL  
6042 Acme Road, Williamsburg MI 49690  
3:00 p.m. Monday, August 23, 2004**

**Meeting called to Order with the Pledge of Allegiance at 3:05 p.m.**

**Members present:** R. Agruda, D. Amon, D. Hoxsie, N. Knopf, C. Walter  
**Members excused:** None

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

**A. LIMITED PUBLIC COMMENT:**

Wayne Kladder, 4301 Deerwood, asked that the township ask for a millage identical to that requested by the other four townships to keep the education campaign consistent. This will make it easier to get the message out.

Dorance Amos, grower in 5 townships has worked to support the program. He also stressed keeping the millage requests and ordinances identical across all five townships to keep things easier for the property owners who own properties in more than one municipality so they don't have to learn different systems and rules for different areas.

**B. OLD BUSINESS:**

1. **Continued discussion regarding possible placement of a request for a farmland and open space acquisition millage request on the November 2004 ballot:** Amon directed attention to an e-mail he received from Scott Everett on Sunday, August 22 that explains the reason behind today's meeting. Mr. Everett maintains that by excluding personal property from the proposed millage request, the township might be essentially creating a special assessment district.

Amon also provided a spreadsheet created by Dawn Plude, the township Assessor, to provide some idea of how much money various different millage rates might raise. Her figures include inflation but do not include growth projections, as in her professional opinion it is impossible to guess how development will actually occur in any meaningful way. Knopf disputed this inability, but Hoxsie stated that he discussed this with Plude and he respects her personal opinion.

Amon also passed out copies of slides from the presentation Mr. Everett gave at the August 10 Board meeting discussing how much land might be preserved if a 1 mill request is successful and how the funds could be leveraged to match grant sources.

Amon also has a list of parcel number for properties zoned agricultural within the township and the individual and total number of acres. He pointed out that while all of this property is zoned agricultural, much of it is classified for some other use such as residential. Land is only classified as being in agricultural use if at least 50% of it is being actively farmed. Her figures indicate that there are 4,587 acres of agricultural land in the township, as opposed to Mr. Everett's estimates that there are about 2,500 acres of agricultural land in the township.

At the last meeting, there was discussion about how to ensure that any ultimate PDR scoring system eliminate politics from the question of which lands are purchased and which are not. To address this question, he provided copies of the Farmland and Open Space Development Rights Ordinance adopted by Grand Traverse County that spells out the method by which these determinations will be made.

All materials specified as provided by Amon for this meeting are included and incorporated in to these minutes by reference and available at the township hall.

Amon stated that after Mr. Everett raised the point that the idea of requesting a millage on real property but not personal property might in fact be creation of a special assessment district, he asked Christopherson to review the situation. Christopherson has expressed to him that he believes a grey area may exist that could pose problems. Walter drew attention to the terminology "exclude a specific area or class of land" and stated that a forklift doesn't seem to meet this description. Hoxsie noted that one of the township's fire millages collects on personal property but the other one does, and that the one that does not is indeed a special assessment district. He does agree that if the millage is only to be requested on real property, it must be called a special assessment district. Knopf tended to agree with Walter that if Mr. Everett's wording discusses land, and if that gentleman is supposed to be our expert, there shouldn't be any problem.

Christopherson stated that the real question is one of risk. State law specifies reasons for which a special assessment can be created, and fire protection is one of those acceptable reasons. It would be outside of the township's statutory ability to create a special assessment district for farmland protection. The township may ask for a millage for this purpose. If the township proceeds as decided at the last meeting and if someone challenges the millage request, it might or might not be found that an illegal special assessment district had been formed.

Knopf said she believes that the millage would only benefit 4 or 5 farmers in the township. Hoxsie stated that in theory the Board is discussing the millage because there may be a perceived benefit to the whole community of purchasing farmland development rights. The response to the millage request would make evident whether or not the community places a high value on pastoral open spaces or not. Knopf is still concerned with whether some farmers that might be interested in selling their development rights would be left out if their property doesn't score as being highly desirable for protection. Hoxsie pointed out that higher scoring property development rights would be purchased first, but the lower ranked properties would therefore keep moving up the list. Given enough time and money, all interested properties might ultimately be purchased.

Walter asked why much of the new information is being presented today. Christopherson stated that the purpose of the meeting to decide whether the decision regarding the millage made last week should stand or be amended. Amon stated that he has attempted to provide materials that are responsive to some of the issues raised at that previous meeting.

Christopherson has provided two possible resolutions and two possible samples of ballot language for consideration.

Knopf stated that she believes a farmland preservation millage is somewhat of a luxury, especially as compared to a fire millage which is essential for public safety. She is especially concerned because the former is being proposed for this November but the latter may not even be discussed until early 2005. What if people vote for the "luxury" millage now, not knowing that a critical millage will be coming along next year? She believes both millages should be presented to the public at the same time so that people can make an informed decision as to how to spend their tax dollars. Agruda stated appreciation of this point of view. It is always a significant task to provide adequate public education. Amon stated that Agruda has been conscientious about mentioning a need for a new fire millage next year at nearly every Board meeting during his report. Hoxsie stated understanding of Knopf's point of view, but is confident that township residents will vote as they must to ensure ongoing and

adequate fire protection. He believes that the public will be willing to approve both measures. Agruda feels it's important to preserve farmland by some mechanism. He was driving downstate yesterday and saw quite a few acres with "for sale" signs on them. It's hard to know what the future will bring in terms of development – who ever dreamed Traverse City would get so large or need a second sewage treatment plant? Amon stated that for him it's a matter of a group of individuals who have come together, not only in Acme but in four other townships and two counties, and who come from varying points of view. They have worked hard to set forth what they think they need to make the initiative work. He believes it's now our responsibility to put the question on the ballot and let the voters decide, and to proceed in a unified front with the other municipalities.

Walter noted that Hoxsie sent an e-mail stating that the average taxable value in Acme Township is around \$70,000, so the example in the proposed ballot language should be changed to reflect this average. Walter disagrees, believing that the example in the language should be geared towards those with the highest land values who pay the largest tax bills. He still feels that \$100,000 would be a simple, round number to provide as an example. Knopf concurred. Hoxsie said that Plude recommended picking a number that's easy to work with, and that \$100,000 is a nice round number that is easy to multiply to suit personal situations. He spoke to her after he sent his message, and after talking with her he now agrees that the \$100,000 example is a good option.

Amon stated that the business at hand is to ensure that we don't create a potential legal problem for the township. He has created a proposed resolution that would rescind the resolution adopted on August 17 to request 1 mill for 10 years on real property only and would approve a request for 1 mill for 10 years on both real and tangible personal property. The other proposed resolution would uphold the decision made on August 17.

**Motion by Walter, support by Hoxsie to adopt the Resolution #R-2004-14 rescinding the resolution made on August 17 and authorizes placement on the November ballot of a request for 1 mill for 10 years on real and tangible personal property for farmland preservation. Motion carried by a vote of four in favor (Agruda, Hoxsie, Walter, Amon) and one opposed (Knopf).**

**Motion by Hoxsie, support by Agruda to approve the suggested ballot language with \$100,000 for value of sample home and with millage to apply to both real and tangible personal property. Motion carried by a vote of four in favor (Agruda, Hoxsie, Walter, Amon) and one opposed (Knopf).**

2. **Confirmation of date change for public hearing regarding proposed DDA Ordinance (from Monday, September 7 at 6:00 p.m. to Thursday, September 9 at 7:00 p.m.):** In order to meet deadlines for publishing the hearing date in the newspaper not once but twice at least 20 days before the hearing, as well as to coordinate schedules with those who need to be in attendance, a new date of Thursday, September 9 was chosen. Walter asked if the proposed date will conflict with the NRA banquet, which he is committed to attending. Hoxsie feels that as long as proper notice to the public has been provided as required by law, he is comfortable proceeding with the proposed new meeting date.

**Motion by Hoxsie, support by Agruda, to reschedule the public hearing regarding the Proposed DDA Ordinance for Thursday, September 9, 2004 at 7:00 p.m. Motion carried unanimously.**

## **C. NEW BUSINESS**

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

Bill Kurtz, 5420 Lautner Road, stated that he believes the turnout for this meeting will be as large as or larger than that experienced for the recent Village at Grand Traverse Special Use Permit application. No mention has been made of where the meeting is to be held. Corpe stated that the publication states that the meeting will be held at the Township Hall as discussed at the meeting when the original meeting date was set. Mr. Kurtz believes that many people will be angered by holding the meeting in a space too small to accommodate all interested parties.

**Meeting adjourned at 3:50 p.m.**