



**ACME TOWNSHIP REGULAR BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
7:00 p.m. Tuesday, November 9, 2004**

Meeting called to Order with the Pledge of Allegiance at 7:02 p.m.

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

A. CONSENT CALENDAR

Motion by Hoxsie, support by Knopf to approve the Consent Calendar as presented, including

RECEIVE AND FILE:

1. Treasurer's Report as of September 30, 2004
2. Clerk's Report as of October 31, 2004
3. Draft unapproved minutes of the October 11 and October 25, 2004, Planning Commission

ACTION:

4. Approval of the minutes of the October 20 and November 1 Special Board Meeting Minutes
5. Accounts Payable in the amount of \$373,065.29 through October 27, 2004, including \$224,618.44 for Wastewater Treatment Plant.

Motion carried by unanimous roll call vote.

B. LIMITED PUBLIC COMMENT: None

C. CERTIFICATES OF APPRECIATION: Amon presented certificates of appreciation to several organizations that have done nice things for the township this year. Tracy Mariage, on behalf of the East Bay Masonic Lodge, and Rod Kuncaitis, on behalf of the Acme Civic Association, accepted certificates for organizing, cooking and buying the main course for a community picnic in September. Mr. Kuncaitis provided a brief history of the community picnic, which started some years ago when there was a fire at the Send farm. In appreciation for the community's help, the Send family sponsored a picnic that year and for several years thereafter. Mr. Kuncaitis thought that it might be a good time to revive the tradition. Next year's event will likely be held on the weekend after Labor Day and there will be more advertising than this year. He encouraged everyone to come and to bring friends, family, church members, etc. regardless of whether they live in Acme or not.

Amon also presented a certificate to Sharma Zollinger, President of the Sweetwater Evening Garden Club. The club has planted and maintained some beautiful flowers at the Township Hall and at Bayside Park for the last two years.

D. CORRESPONDENCE: None

E. SUPERVISOR'S REPORT - David Amon: Amon noted that County Equalization has provided an update on the status of the GIS project being carried out within Acme Township. A \$4,000 expense was authorized for the purpose of conforming various geographic data sets and maps, which will provide a useful tool for making customized maps and lists for the township and the public at large.

F. COUNTY COMMISSIONER'S REPORT – Larry Inman: Inman was not present. Amon noted that his report this evening would have centered on the public meetings being held by the Jail

Overcrowding Blue Ribbon Committee. Their detailed report has also been provided for the Board's and public's information. Three more meetings in Kingsley, Long Lake and Garfield are scheduled; people can learn more about the committee's findings and voice their opinions on what should be done to solve the jail overcrowding situation.

- G. TOWNSHIP COUNSEL'S REPORT – Jim Christopherson:** The latest CCAT lawsuit, filed on October 20, was the focus of a special Board meeting held yesterday. There is an ongoing tax appeal involving K-Mart. There is also a lawsuit over unpaid personal property taxes owing by the Acme Quick Lube. Several different potential ordinance amendments are in the works at the Planning Commission level. Walter asked if Christopherson is working to file a response to the CCAT lawsuit; Christopherson replied that he is adhering to the Board's dictate that a response be filed on the township's behalf no later than Monday, November 15. Knopf noted that at yesterday's Board meeting the Board expressed support for having The Village at Grand Traverse become an intervening party in the lawsuit; she would like to add support for having Meijer, Inc. do the same. Christopherson stated that he has not been contacted by anyone representing Meijer regarding such intent.
- H. SHERIFF'S REPRESENTATIVE REPORT – Deputy Matt McKinley:** Amon praised the work Deputy McKinley has done since joining the township as our Community Policing Officer. He seems to be very good at balancing warnings and tickets, and has interacted extensively with children in the community. Deputy McKinley said there were 88 calls for service last month, including 21 accidents. There were only 4 arrests within the township last month and he performed 3 of them. There was a fatal car crash last week. Deputy McKinley made somewhat over 100 traffic stops last month, noting that they can be useful for resolving outstanding warrants or other issues beyond simple traffic law infractions. He also displayed a 2004 Law Enforcement Challenge Award, which was received for participation in seatbelt and drunk driving stings. There have been 2 breaking and entering calls, and there was an armed robbery at a sexually-oriented business in Whitewater Township. Deputy McKinley stated that he works 40 hours per week, spreading his patrols over a variety of shifts. When he is not on duty, Acme is served by two road patrol cars which serve the east side of the county. We are on the fringe of the county, so we may not get much attention when he isn't on patrol. He encouraged all members of the public to call his office 938-2583 at any time, even if it seems like a small but suspicious matter. Also, it is important not to provide a haven for "crimes of opportunity." Leaving windows or doors unlocked or not using outdoor lighting can be an invitation. Use of the township radar trailer is pretty much over for the year. He expressed pleasure at having the opportunity to work with the outgoing Board members. Amon mentioned that the challenge award came with a \$5,000 grant that was used towards the purchase of the radar trailer along with about \$3,800 from the township's General Fund.
- I. METRO FIRE REPORT – Randy Agruda:** On Monday, Metro Fire approved their 2005 budget. Acme will be liable for increased payments to Metro for fire protection services. He has warned the Board and the public regularly about projected shortfalls in the township's Fire Fund that will likely occur again this year. He believes that a Metro-wide fire district would be an excellent way to ensure that such shortfalls don't occur again in the near future. There is no statutory requirement that fire service be provided, so if Acme ceases to pay its share of Metro's operating costs, there is some possibility that equipment and service could be removed from the community. He hopes that he will be able to continue to work with the incoming Board members regarding fire service issues. Agruda was presented with a plaque commemorating his 8 years of service on the Metro Fire Board, and he hopes that the next representative to that board will continue to keep the public health, safety and welfare at the forefront of his or her agenda. Agruda would be pleased to assist that individual as needed and desired. Because he was leaving the Fire Board, which consists of only three members, he held back somewhat from budget discussions. He is somewhat concerned about the scope of the budget increases and their potential impact on Acme Township. The new Board should contact Lee Wilson or Metro Fire to find out when the December meeting will be held. Finally, the Fire Department would like to remind everyone to inspect their chimneys before use to prevent fires, and to use caution with Christmas Trees.
- J. ENGINEER'S REPORT – Jim Minster, Gourdie Fraser Associates:** Design for the second phase of the sewer bypass is moving forward.

1. **Consider approval of 12/12/2003 Gourdie Fraser Invoice for fees related to sewer bypass:** This invoice is from about a year ago, and relates to Gourdie Fraser's services in resolving the sewer main break at Four Mile Road that occurred during construction. Minster asked that payment be withheld until the insurance claim was finalized, as the claim covers their costs. The insurance company is including these funds in their claim settlement payment, which has been signed to by all parties and a check should be forthcoming within 30 days. Therefore, Minster is requested payment of the invoice at this time.

Motion by Hoxsie, support by Walter to approve payment of the December 12, 2003 Gourdie Fraser Invoice for services related to the sewer main break in the amount of \$2,289.36 Motion carried by unanimous roll call vote.

Amon asked Minster to discuss the concept of "BOD" in relation to the public sewer system. BOD is a measure of the amount of solids loading in wastewater flows. The levels of BOD within a given level of flow affect how the treatment plant works, how much plant capacity is being used and how soon a new plant will be needed. Flow meters are being installed to more accurately gauge each municipality's level of plant usage relative to their currently contracted share. This in turn affects how much we pay to the DPW and how soon a second treatment plant will be needed. Right now all townships are utilizing above 80% of their respective contracted plant capacities. Minster expressed having enjoyed working with the outgoing Board Members.

K ROAD COMMISSION REPORT – Chuck Walter: None

L. BUILDINGS AND GROUNDS REPORT – Tom Henkel: Henkel is "knee-deep" in customary fall cleanup chores.

M. OFFICE & PLANNING COORDINATOR'S REPORT – Sharon Corpe:

1. **Consider approval of proposed new private road name for Dan Hanna:** Corpe stated that Dan Hanna has received approval of a land division for his property located at the corner of Lautner and Brackett Roads. As part of his six-parcel land split, a new private road is being created. New road names within the County must receive approval both from County Equalization and from the local municipality. Mr. Hanna has proposed the name "Belle Vern Road," which consists of the middle names of his parents. This name has already been approved by Rainer Reichert, County Equalization.

Motion by Knopf, support by Agruda to approve the new private road name "Belle Vern Road." Motion carried unanimously.

Walter expressed disappointment that the subject parcel of land had to be divided up into six large parcels rather than possibly employing a clustered housing format with open space had a requested rezoning been accomplished. Knopf expressed regret for Mr. Hanna and the experience he has had with this process as well.

2. **Discuss proposed amendment of Galaxy Systems Service Contract:** Galaxy Systems currently provides computer support services to the township under a contract. The township pays \$50 per month, plus \$10 for each item (printers, computers) connected directly to the computer network, and in return receives up to 4 hours of service per month. If the hours are not all used up, one hour per month will carry over into a long-term bank. Galaxy Systems has found this type of contract unprofitable and is seeking to amend the terms to eliminate the long-term support hours banking. Any currently-banked hours will be retained, but no additional hours will be banked. Once banked hours are used up, and once each month's allotment of 4 hours is used, any additional service hours will be charged at \$35/hour rather than the customary \$70/hour. The other benefit of maintaining a contract status is that if calls for service come in to Galaxy and one is from a contract holder while one is not,

the contract holder will receive first priority for service. The service contract is a month-to-month item that can be cancelled at any time. Payment of the November invoice will be taken as consent to the new contract terms, so prior to payment Corpe is seeking Board direction. Hoxsie feels that the contract should be continued under the new terms at least on a temporary basis. Due to the change in Board personnel, particularly in the Treasurer's and Clerk's departments, he suspects some additional support services will be required.

Motion by Walter, support by Hoxsie to continue the service contract under the new terms with Galaxy Systems. Motion carried by unanimous roll call vote.

3. **Planning & Zoning Workflow:** Corpe provided the Board with copies of a preliminary agenda for the Planning Commission meeting to be held on November 29. It contained two public hearings for Special Use Permits that are currently in mid-process, three new SUP applications coming up for their first discussion, and two potential zoning ordinance amendments for consideration. She stated that in general there is more of a time commitment necessary to new applications because one is just becoming familiar with them and looking into what questions might exist. Farther along in the process there is less that needs to be done.

One of the three new applications is for Phase I SUP/Site Plan approval for The Village at Grand Traverse. The application materials were provided in a notebook 5" thick, and must be considered not only in light of the Master Plan and Zoning Ordinance, but also in light of a 121-page Conceptual SUP for the overall project. It will be a more time-consuming review than normal. Corpe does not believe that she can process all three new applications by herself in a way that does justice to any of them, and requested the Board's assistance.

Motion by Walter, support by Knopf to engage the planning consulting services of Russ Clark to review the SUP/Site Plan Review application for Phase I of The Village at Grand Traverse, as Mr. Clark is already familiar with the development having performed the Conceptual Plan review. Motion carried by unanimous roll call vote.

N. **ZONING ADMINISTRATOR'S REPORT – John Hull:** Written report provided and incorporated by reference.

O. **PUBLIC HEARINGS:** None

P. **NEW BUSINESS:**

1. **Consider medical reimbursement for Trustee, Randy Agruda:** Amon has done some research regarding this issue preparatory for this evening. Previously, Christopherson provided an opinion that provision of health insurance benefits is part of an elected official's overall compensation package and as such must be addressed in one of three specific ways. It appeared to him that none of these methods had been employed. During previous discussions the Board reviewed minutes from 1997 when the current plan participation rules were put in place; for tonight Amon has provided minutes containing discussions about health insurance and budgeting for same from the summer of 2003.

It is Amon's feeling that there was a clear intent on the Board's part to permit Trustees to participate in the township health insurance plan. Nobody recalled that an official policy was in place that might need to be changed through a motion at a public meeting. Amon stated that if anyone specifically authorized Walter's participation in the plan when he signed himself up, Amon did so.

Agruda stated that a special Board meeting was held on October 8 regarding a request from Walter to be reimbursed for certain medical expenses he paid prior to being admitted to the township plan. At that meeting, the Board found that Walter

should not have been permitted access to the plan, and that the township therefore paid 85% of his premiums, as is done for all participants, erroneously. A motion was made not to reimburse Walter to the additional extent he requested, and also that he would not be asked for reimbursement for the premiums inappropriately expended on his behalf.

Agruda is approaching this situation from the perspective of fairness. If an additional benefit was extended to one Trustee that is construed as compensation, he feels it should be extended to all. He believes this is in accord with the Fair Labor Act. He asks the Board to make a determination as to whether he should be paid an amount equal to the amount expended for Walter's premiums. If the outcome is a negative vote, he will weigh his options.

Christopherson stated that he has provided an opinion via e-mail that because no motion was made to authorize the additional compensation for Trustees, it would be inappropriate for the Board to authorize payment to Agruda at this time. Knopf is sympathetic to Agruda's point of view. The key difference between Agruda and Walter in this situation is that Agruda has access to a group insurance plan through his job, but Walter does not. One difficulty is that the township does not currently have an employee policy manual in place that would more clearly provide guidance in the situation. Agruda stated that he should have had the option as to which insurance plan would be more beneficial to him.

Knopf noted that the Board did move that Walter would not have to reimburse the premium payments made on his behalf, some \$5,117. Hoxsie agreed that the motion was approved unanimously. However, if Agruda's request is denied, that outcome may be faulty.

Motion by Hoxsie to deny Agruda's request for reimbursement equal to the healthcare premium payments made on behalf of Walter.

Knopf noted that Walter received the advantage of a year's worth of health coverage and Agruda did not receive the benefit of the choice through the township's fault and not his own.

Motion supported by Amon.

Hoxsie believes that if this motion is passed, a new motion should be made requesting repayment of the premiums from Walter. Amon read from the minutes of June 18, 2003 a statement made by Walter regarding insurance costs and their impact on employers. He stated in part that he would be willing to pay 100% of his premium costs just to be able to participate in the plan, as it would still be cheaper than providing individual coverage on his own. Walter stated that he would never have said such a thing.

Motion carried by a vote of 2 in favor (Amon, Hoxsie), 1 opposed (Knopf), 2 abstaining (Agruda, Walter.)

Hoxsie sees several possible courses of action. Agruda might pursue his request further unless the township requires Walter to repay the premiums. Knopf asked for an opinion on the validity of using a new motion to reverse a previous one regarding the same issue. Christopherson stated that at the October 8 meeting, when asked whether Walter should be asked to repay the money, he replied that he was unprepared to respond at that time. State statute clearly sets forth how compensation must be addressed. None of the required actions occurred that would have permitted Trustees to begin receiving insurance benefits. Therefore, the payments the township made were not authorized.

Walter stated that he asked Christopherson and was told "Chuck, you have a case." Christopherson stated that this occurred in a phone conversations; Walter stated it

was a face-to-face conversation. Christopherson stated that Walter told him that Ritter had misrepresented the availability of benefits to a Trustee, and in that light Christopherson advised him that there might or might not be a case against the township to be made. He is not trying to make a moral recommendation, but is looking at the situation purely from the perspective of the State Statutes and the record of the township. Walter feels that "there could be problems down the road," and wondered if Ritter would be personally liable and whether or not the township's liability insurance would defend such a claim. Christopherson stated that government is a different situation than private business.

2. **Request for termination of SUP#2001-5P from Ed Graft:** Corpe provided the Board with copies of her public hearing staff report regarding a current SUP amendment application from Ed Graft regarding his property at the north end of the public portion of Deepwater Point Road. She gave an overview of the property's history contained in that report, and summarized conclusion that neither the current SUP amendment request nor the 2001 SUP amendment request were required processes. Mr. Graft is seeking to use his land in a manner than is permitted without a hearing process to any landowner in his zoning district. On this basis, Mr. Graft is terminating his current SUP amendment application and seeking termination of the existing permit as well. Corpe reported that Mr. Graft, adjacent landowners Bud and Anna Fromholz, Mary Lajko from the Road Commission and the township have worked together to solve some nuisance and safety concerns the private road extension into the property have caused for the Fromholz family, and have achieved a situation where everyone is about "75%" satisfied with the outcome. Mr. Graft has committed to paying for some improvements that should alleviate the negative impact on the Fromholzes. Corpe thanked all parties for working together in this manner, and thanked Mrs. Fromholz for some flowers she brought to the hall in appreciation.

Motion by Walter, support by Knopf to accept Mr. Graft's letter requesting termination of SUP #2001-5P, and refunding any fees paid by Mr. Graft to the township for his 2004 SUP permit request. Motion carried unanimously.

3. **Consider approval of the draft minutes of the November 8, 2004 Special Board meeting:** Knopf noted that prior to the beginning of the November 8 meeting. Christopherson advised the Board that it did not have to enter closed session to discuss the CCAT lawsuit, which was the topic of the meeting.

Motion by Knopf, support by Hoxsie to approve the minutes of the November 8, 2004 Board meeting as presented. Motion carried unanimously.

Q. OLD BUSINESS:

1. **Continued discussion of DDA:** Amon asked Corpe to read for the public the list of taxing authorities that have opted-out of the proposed DDA and its potential tax recapture plan. It appears to Amon that all of the local taxing authorities except for BATA have opted out of DDA participation. He stated that he made a presentation to the County Commission a few weeks ago, and that all of the taxing authorities opting-out mentioned that the proposed land area for the district seemed too large.

Amon still believes in the concept of a DDA district for Acme Township. He has also stated that he would support taking no action at this time, leaving any future activity in this regard to the incoming Board. Knopf agreed that all taxing authorities indicated that if the proposed size of the DDA area were to be reduced, they would like to reconsider whether or not they will participate. Amon added that the taxing authorities also generally indicated that the amount of residentially-used land to be included was too high. He feels that there is a general misunderstanding that creation of a DDA district would cause an increase in taxes. This is a fallacy, and he would recommend that if a DDA is finalized in the future that the possibility of imposing the up to 2 mill levy provided for by statute be specifically eliminated. Knopf agreed, also feeling that there was confusion over the inclusion of land that zoned

Agriculture but used for housing that would need to be addressed.

Walter stated that he was a strong supporter of a DDA as a way to finance improvements that the public has said they desire. He does not believe it would be possible to finance those improvements any other way. Several meetings were held with Larry Inman (Acme's County Commissioner), Dennis Aloia (County Administrator), Pete Strom (County Commission Chairman) and Bill Rokos (County Treasurer). During those meetings, he felt there was 100% support for an Acme DDA from the County politicians. He is disappointed in County leadership, as they did not stand up for Acme Township when the time came. He feels they are not supporting Acme as an outlying township to an appropriate extent, instead focusing on central areas that are thriving already.

2. **Approval of Closed Session Board Meetings Minutes:** The minutes from several closed session meetings held by the Board during the year still need approval. Christopherson repeated something told earlier to Amon, that the new Board will have full access to these minutes when they take office. The Board is an ongoing entity, regardless of changes in membership. Corpe observed that by statute closed session minutes are kept on file for one year and one day, and then destroyed. Knopf asked what methods there might be by which the records of the closed sessions might become public; Christopherson responded that this would happen if done voluntarily by the Board or if compelled by a court.

Motion by Hoxsie, support by Walter to approve the Closed Session Board Meeting minutes of February 3, April 6, June 1, July 19 and October 5, 2004 as presented. Motion carried unanimously.

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

1. Walter stated that he has been thinking about being notified that an application has been received for construction of a Meijer store within The Village at Grand Traverse. He recalls the application previously brought by Meijer, Inc. for construction of a store on their property on the southeast corner of Lautner Road. At that time, the township required an environmental study over and above that provided by the applicant. He got to thinking about the costs to the township involved, and he asked that an update to the township's fee schedule be considered. This was subsequently done by Corpe.

He believes that to some extent a mistake has been made in the new fee schedule. If an applicant provides "an environmental impact assessment" from a qualified and reputable firm as required by the township ordinance, why should he be made to bear the costs of a second full assessment requested by the township? The fee schedule says that the applicant must pay for all fees incurred, but it was never his or the township's intent to cause an applicant to be liable for duplicative work. Knopf agreed with this point of view. Hoxsie feels that more examination of the situation is required before making any decision.

Corpe noted that the new SUP base fee is \$800. If actual processing costs exceed 120% of this figure (\$1,000 or so), the applicant will bear the full cost. No permits will be issued until the fees are paid. Corpe has committed within the fee schedule that each applicant will receive a detailed report of the expenses for processing their application. She can understand Walter's point, but noted that sometimes there are highly technical aspects of an application that staff is not qualified to assess. It may be necessary to hire the services of a technical specialist to do that task, but this would not always necessitate a full second study being performed.

Knopf wondered what would happen if a firm is hired to review a study provided by an applicant, and the firm confirms that study. What would prevent the township from hiring more and more consultants until they find one that disagrees with the applicant? Hoxsie does not believe that needless duplication of effort at an

applicant's cost should be permissible. Knopf suggested that perhaps a limit on the number of reviews of any particular study submitted would be appropriate. Amon expressed confidence that the new Board can address this issue.

2. Ron Reinhold, 4446 Westridge, asked what was Larry Inman's stance regarding the DDA at Amon's presentation to the County Commission. The Board responded that Inman made the motion for the County to opt-out.
3. Agruda congratulated the new Board members on the beginning of their community service. They join an elite group who are regularly called "all kinds of names." He hopes that all will employ a long view and look at "the total picture" without wearing blinders. He has been criticized for his stance regarding The Village at Grand Traverse. He stands behind his belief that on the whole the project will be good for the community both now and for future generations. Agruda wished the new Board the best, and expressed strong support for the township staff. Henkel may be working on the north side of town but will rush to the south side to address an accident. He hopes the new Board members will appreciate the staff and what they do for the township. Agruda has met some interesting people while in office, and he never imagined himself as a politician. He has served with a great group of people and expressed appreciation for their friendship. He thanked Christopherson for his service to the township and wished everyone well in their future endeavors whether leaving or entering office. Agruda hopes the new Board will listen to all members of the community, and not just one small group. His first interest has always been the people of Acme Township. He also thanked Herb Smith and the Planning Commission.

Hoxsie echoed Agruda's sentiments regarding the staff and Christopherson. When he was elected for the first time 12 years ago there was no centralized township office. A closet was converted for the Assessor's use, and it's amazing that she was able to work well alone under those conditions. He feels good about what has been accomplished in the past 12 years overall, and that things are being left better than they were. He feels that he has made good decisions in the best interests of the township, and thanked everyone for their help and support.

Amon stated that the last 2 years have been a time of transition. The new sewer line has been installed, and several significant new developments have been proposed. The Tribe has purchased the Resort. The Board has been served well by their staff, which has grown somewhat through the years and worked through difficult times. Jim Minster has been of great assistance. His 28 years on the Planning Commission and 2 years as Supervisor have been positive on the whole. He wishes the incoming Board members a smooth transition. He noted that there will be a swearing-in ceremony on November 20 at noon, and hopes it will be a coming-together for the community. There is room for everyone to live, work, play and maximize the township's benefits.

Knopf agreed with Hoxsie that the beginnings were rough. Many individuals have contributed along the way but are no longer here. Mark Ritter formed the township offices, brought on staff and brought the Fund Balance forward from \$60,000 to \$1.2 million with an original goal of funding a new township hall without asking for a millage. Sherrin Hood became the township's Planner right out of college. Ritter instituted meeting agendas, and Hood instituted planning review reports to assist various committees and boards in their decision making. This has become an invaluable tool at all levels. Corpe has brought excellent skills to the task of Recording Secretary, and has also helped modernize and use technology to assist all residents in keeping up-to-date with goings on. She hopes Corpe will be able to continue on in this regard. She offered thanks and farewell.

4. Lee Bussa, Brackett Road resident, Realtor and representative for Acme Village wished the outgoing Board members well, stating that he has always felt he was treated fairly and courteously, even when there wasn't complete agreement between applicant and township regarding a particular issue.

5. Ken Petterson, Holiday Hills resident and attorney for The Village at Grand Traverse, stated that The Village asked him to pass along some comments to the Board. He read from a letter, which is included and incorporated by reference and available for inspection at the township hall. This letter alleges that the township has failed to respond to the current CCAT lawsuit in an appropriate and timely manner, and is therefore failing to appropriately defend the Master Plan and Zoning Ordinance. The letter expressed particular concern with a potentially unethical situation created by having CCAT members serve on the incoming Board, resulting in a situation where the taxpayers' dollars are spent suing themselves.

6. Scott Nowakowski, Meijer, Inc. thanked the Planning Commission, Board and everyone who has supported The Village at Grand Traverse, the Master Plan and the Zoning Ordinance. He recited Meijer's history of property ownership and planning/zoning applications within the township. Meijer's feels that The Village is a model development, nicer than most they have seen. They believe that The Village has met or exceeded all township standards for development and have acceded to every request made of them. They were shocked to learn, upon receipt of the minutes from the November 8 meeting, that an important decision would be handled without full board knowledge and information. He believes that there will be a "severe" conflict of interest, as CCAT members will be Board members and suing themselves. In this light, he feels it would be important for Meijer, Inc. to intervene in the lawsuit, and asked about the appropriate procedure. Christopherson stated that their legal counsel can address this. In general, it can be done either by receiving approval of a motion from the Judge, or by receiving stipulation from both parties to the lawsuit.

Motion by Knopf, support by Walter to request that Meijer, Inc. intervene in the current CCAT v. Acme Township lawsuit. Motion carried unanimously.

Meeting adjourned at 9:06 p.m.