

PROPOSED AGENDA

**CHARTER TOWNSHIP OF BRIGHTON
UTILITIES COMMITTEE
4363 BUNO ROAD
BRIGHTON, MI 48114**

**April 27, 2016
SPECIAL MEETING
7:00 P.M.
(810) 229.0560**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL
- D. CALL TO THE PUBLIC
- E. APPROVAL OF THE AGENDA
- F. MINUTES
 - 1. October 13, 2015 Special Meeting (Confirming Revised Version)
 - 2. January 11, 2016 Regular Meeting
- G. Business
 - 1. REU Assignment Appeal 8336 Hilton Road
 - 2. Quarterly Debt Service Charge
- H. REPORTS / CORRESPONDENCE
- I. CALL TO THE PUBLIC
- J. ADJOURNMENT

The Charter Township of Brighton will provide necessary reasonable auxiliary aids and services such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting to individuals with disabilities at the meeting. Individuals should contact the Charter Township of Brighton by writing or contacting: Township Manager, 4363 Buno Road, Brighton, Michigan 48114. Telephone: (810) 229.0550.

MINUTES
(Revised)

**CHARTER TOWNSHIP OF BRIGHTON
UTILITIES COMMITTEE
4363 BUNO ROAD
BRIGHTON, MI 48114**

**OCTOBER 13, 2015
SPECIAL MEETING
7:00 P.M.
(810) 229.0550**

M. Sweatman called the meeting to order at 7:00 P.M.

Present: M. Sweatman, F. Grapentien, C. Moran, M. Slaton, D. Terns (D. Schiffko arrived 7:05)

Absent: None

Also Present: B. Vick

PLEDGE OF ALLEGIANCE

CALL TO THE PUBLIC

M. Palmer, 10382 East Grand River: Regarding second call to the public, bond refinancing, sewer as a community asset.

D. Taylor, 3319 Oak Knoll: Regarding *Objection to not having a second call to the public and a request to modify the agenda to add a second call to the public*, why the system was built to current capacity *and why should the original users be charged for the Township decision to overbuild*, prepared and distributed *to each committee member questionnaire written list of six questions to the committee for discussion / answer and that these questions be entered into the minutes of this meeting and retained for committee and township records*, ~~unfunded system~~ *system has been underfunded since its inception. Why doesn't the Township step up and fund the cost of its decision to overbuild- fund it from Township net positive cash position – replace cash with new user fees.*

J. Sarna, 8266 Woodland Shore Drive: Regarding the right of the public to speak, handout distributed, being required to hook into the system, petitions and the original bond.

B. Potocki, 8420 Woodland Shores Drive: handout distributed, second call to the public, amount of money the Township will reimburse

AGENDA

C. Moran moved and D. Terns supported to approve the agenda as presented.

Motion carried.

MINUTES

D. Terns moved and D. Schiffko supported to approve the minutes of the May 26, 2015 Meeting of the Utilities Committee. **Motion carried.**

BUSINESS

1. 2015 Sewer Bond Refunding – Project Completion Summary: The Brighton Township Sanitary Sewer Drainage District successfully issued \$7,900,000 refunding bonds, Series 2015 with a closing date of September 16, 2015. The refunding produced a savings through 2020 of \$691,635. When measured on a present value basis, the savings is \$667,925. On a percentage basis, the savings is 8.1% which exceeded the minimum threshold of 4% set by the Township Board.

2. Quarterly Sewer Analysis – the Committee was provided a copy of the Sewer O & M Fund analysis for the period ending June 30, 2015. The Manager highlighted key elements of the report (i.e. unfunded estimate, new REU's, quarterly rates). It is anticipated that the quarterly report for the period ending September 30, 2015 will be available at the November 23, 2015 Committee meeting.
3. Sewer Debt Service Cash Flow Projection – The Committee was provided analysis which included eleven different scenarios which impacts the projected date when the Debt Service Fund would have fully paid the Bonds off and the loans back to the General Fund. Manager Vick walked the committee through the various scenarios. The status quo scenario (listed as #1) depicts a repayment completion date of March 2022. The Township Board requested that scenario #11 be included into the discussion of the Utility Committee.
4. Sewer Quarterly Rate and REU Discussion – With the aforementioned analysis of the eleven scenarios the Committee discussed the pros and cons of adjusting the quarterly debt service rate. Comments included: reducing the costs for long term users of the system, reducing the quarterly debt service rate, increasing the REU charge from \$10,260, impact of increased REU charge on attracting new users, predicting the number of new REU purchases, creating a two tier rate structure for existing and new users, maintaining the existing assumptions and no change in the DS charge.

Motion by M. Sweatman, supported by D. Terns to recommend to the Board that the debt service charge, REU charge and financial assumptions remain at their current levels and that the Utilities Committee revisit the rate structure in the Spring of 2016 which would afford the Township to determine if REU purchases over the next 5 months meet or exceed the financial analysis assumptions. **Motion carried.**

REPORTS / CORRESPONDENCE

1. Maintenance Project Updates – The Committee was provided with Maintenance reports for the period of May 2015 through August 2015. Manager Vick updated the Committee on miscellaneous projects in the Township as well as development projects that are in the Planning Commission process which could impact the sewer system. Committee member comments included: requesting the graph in the IAI - WWTP graph include a 13th month, Matt Schindewolf of IAI presented a system report covering the period November 2014 to present. The report included updates related to Northwinds Subdivision, new system connections, grinder pump rebuilds/replacements, lift station repairs, and WWTP treatment update.

COMMITTEE MEMBER COMMENTS

- Trustee Slaton requested that the next agenda be published with a second call to the public.

D. Terns moved and D. Schifko supported to adjourn at 9:45 pm.
Motion carried.

Respectfully submitted,

Mark Sweatman, Chairman

Frank Grapentien, Secretary

**PROPOSED
MINUTES**

**CHARTER TOWNSHIP OF BRIGHTON
UTILITIES COMMITTEE
1580 S Old US-23
BRIGHTON, MI 48114**

**JANUARY 11, 2016
REGULAR MEETING
7:00 P.M.
(810) 229.0550**

M. Sweatman called the meeting to order at 7:00 P.M.

Present: M. Sweatman, F. Grapentien, C. Moran, D. Terns, D Taylor
Absent: M. Slaton

Also Present: B. Vick

PLEDGE OF ALLEGIANCE

CALL TO THE PUBLIC

Bo. Potocki, 8420 Woodland Shores Drive Distributed Handout to the Committee and spoke regarding: responsibilities of the committee, wants audited assessment role, missing documents, public posting of reports, transparency, Mr. Sarna's tax bill and quarterly billing totals, forced to hook up, auditors 10 financial analysis, anti-trust violations (J. Romes, 2703 Brad Place and D. Mahl, 2616 Tim Ave gave their minutes to Mr. Potocki.) questioning the accuracy of the financial information, inequitable ordinance enforcement, discrimination, restraints of trade, illegal conspiracy, fines and damages, Sarbanes oxley requirements, reconsider the actions of the committee.

K. Couch, 2966 Cady Drive lakeside properties assoc. questions why SAD payments continue to be required given their SAD payments to date. Questioned sewer rate in Bloomfield Hills compared to Brighton Township.

M. Trimble, 2796 Tim Ave, stated dissatisfaction with SAD required hook-up and questioned whether quality of lake water improved since sewer system installed.

J. Sarna, 8266 Woodland Shore Drive, when will SAD payments end, payments made to date, use of Drain Code in the implementation of the SAD, was brought about, list of neighborhoods exempted from the SAD, Health issue versus Lake Quality, (R. Petterson, 8370 Woodland Shore Drive gave his minutes to Mr. Sarna) forced to be on the sewer, charges different from the petitions.

M. Palmer, 10382 East Grand River: Statement about Supervisor Murphy and his appointments, questioned the accuracy of the October 13, 2015 minutes, Attorney Harris letter dated April 23, 2013 (handed copy to the Committee), (R. Carter, 2761 Time Avenue gave his minutes to Mr. Palmer) forced on the system, state law, sewer service via the region / County, overpaying the SAD, financial emergency, demand reimbursement of \$17,500, independent audit

Ba. Potocki, 8420 Woodland Shores Drive regarding met the \$12,400 obligation, why other subdivisions allowed to opt-out, cost in comparison to other communities, size and cost of the WWTP property, financial burden on homeowners,

R. Schlumn, 2647 Gary Ave, need for independent audit, wants answers to questions, comparison to Nazi Germany.

C. Reedy, 2721 Tim Ave, forced on the system, contamination coming from under Hacker Road.

D. Strachan, 2769 School Lake Road regarding: increasing quarterly fee, when required payments will end, contract commitment, more users on the system, expensive to use plumbing.

S. Milley, ### Skeman Road, concerns with the original installation of the grinder pump, leaching into canal.

R. Stone, 8305 Donna Lou, sewer was political, forced on the system, financial burden, finding an equitable solution, represent residents not big business.

P Murphy, 2618 Parklawn Drive, Financial hardship and impact on her home, Storm runoff drain issue with Livingston County. Qualifications to operate the system.

J. Sarna 8266 Woodland Shore Dr (received minutes from C Peterson, 8370 Woodland Shore Drive) frustration expressed by residents, financial assumptions at the start of project, disclosure of capital debt charge inclusion, fraud, system installed under Drain code not by the people via PA 185.

C Jarvis, 8265 Donna Lou Drive, lack of disclosure of information

C. Ready, 2721 Tim Ave, questioned the construction oversight, was the project publicly let, water installation.

M. Palmer, 10382 East Grand River (received minutes from Jill Sweeso, 8448 Woodland Shore Drive) committee appointments, number of sewer users on the committee, Attorney Harris letter dated April 23, 2013, 200 foot State law.

D. Stracke, 2769 School Lake (received minutes from R. Cervenian, 3307 Oak Knoll) sewer construction impact on trees.

AGENDA

F Grapentien proposed to add agenda item G4 to consider proposed motions to forward to Brighton Township Board of Trustees. Handout distributed. Motion by C. Moran and Supported by D. Terns.

Motion carried.

MINUTES

D. Taylor handed out document that lists four requests he made at the October meeting during public comments and reflect the suggested changes:

D. Taylor, 3319 Oak Knoll: ~~Regarding~~ *Objection to not having a second call to the public and a request to modify the agenda to add a second call to the public, why the system was built to current capacity and why should the original users be charged for the Township decision to overbuild, prepared and distributed to each committee member questionnaire written list of six questions to the committee for discussion / answer and that these questions be entered into the minutes of this meeting and retained for committee and township records, unfunded system system has been underfunded since its inception. Why doesn't the Township step up and fund the cost of its decision to overbuild- fund it from Township net positive cash position – replace cash with new user fees.*

B. Vick, Township Manager provided an overview as to how the minutes are drafted and approved by the Committee. The minutes incorporate summaries of comments as opposed to verbatim and it is the discretion of the Committee to modify minutes prior to approval.

D. Taylor indicated that he would like the minutes (particularly his comments) to have greater detail. As the original responsibility of the Committee from the Township Board was to provide deliverables to the Board, forward community input, research and review topics. He wants his comments to get to the Board.

D. Taylor moved and C. Moran supported to approve the minutes of the October 13, 2015 Meeting of the Utilities Committee as amended. **Motion carried.**

BUSINESS

1. Quarterly Sewer Analysis – the Committee was provided a copy of the Sewer O & M Fund analysis for the period ending September 30, 2015. Ken Palka, of PHP, when through the report page by page, highlighting key elements of the report. D. Taylor asked whether the sewer funds are transferred or comingled with other funds. K. Palka indicated that some funds get sent to the sewer reserve fund for future repairs however no funds are sent to other funds, such as the roads or pathway fund. D. Taylor asked how many users on the system. K. Palka turned everyone's attention to page six and highlighted the number of users that are listed on that page. D. Taylor asked for clarification on the "Due To" lines as it relates to his previous question about transfers out of O & M into other Funds. K Palka clarified by stating that quarterly payments come into one account and then are disbursed to their proper fund (i.e. debt service or O&M) and that on the last day of the quarterly report there will always be some lag in that transaction and is why it is reflect on the report. D. Taylor asked about the Equity Fund Balance and whether that was purely cash. K. Palka responded that this figure includes all assets. M. asked for clarification on the Bond interest rate change due to the refinancing. K. Palka responded that the approximate figures saved 3% when bond premium was taken into account. These savings help the overall financial health of the sewer system. D. Terns asked what the interest return the Township is receiving on their loans to the sewer. K. Palka responded that it was approximately 1% - 2%. D. Taylor asked where the money is coming from to make the bond payments and that if some of the money used to make the bond payment is represented in the loan from the General Fund why doesn't the Township use the General Fund to pay for the community asset and not treat it as a loan. B. Vick responded that the Sewer Fund is an enterprise fund separate from the general fund. Further, that the question of using General Fund dollars is a policy and legal question which the Utilities Committee does not establish. D. Taylor asked for clarification on the plant capacity of 2,500 versus the current flow which would calculate over 4,000 REU. M. Sweatman responded that the original figures were a "permit" number with the State. Since we are tracking this figure we will seek adjustment of our permit number with the State during a permit renewal. D. Taylor suggested clarifying the 2,500 REU as "original permit capacity and adding another line stating potential REU capacity due to experienced flow.

(Five Minute Recess)

2. Sanitary Sewer Rate Survey – Manager Vick summarized the purpose of the survey. At the October 19, 2015 Township Board meeting the Board received the Utilities Committee's recommendation for rate structures based on the eleven different scenarios. The Utilities Committee based their recommendation on the Sewer System Debt Service Analysis compiled by Ken Palka. The Board requested that staff perform a survey of adjacent communities to get an idea of what sewer rates are being charged in those communities. The document contained numerous footnotes as each community is unique and explaining the differences between each community required additional explanation. The results are intended to provide a general comparison and is not an "apples to apples" comparison due to the variety of factors. The survey results were provided to the Township Board at their January 4, 2016 meeting.
3. Hardship Deferral of Sanitary Sewer Special Assessment – Manager Vick provided a synopsis of the deferral process. The Township's Sanitary Sewer Ordinance, in compliance with Michigan law, allows the Township to defer the payment of assessments for public improvements due to poverty.

If the Township agrees to defer an assessment, the Township pays the assessment and places a lien on the property for the amount paid. The property owner signs an agreement to accept the lien. At the time the property is sold the deferred amount is paid to the Township. No interest is charged on the amount deferred. This is for the 2015 sewer assessment that will be paid in 2016. The Township's poverty deferral process requires the property owner to file an annual application which is reviewed by the Township's Utility Committee. The Committee's recommendation is forwarded to the Township Board for final approval. Motion by C. Moran, seconded by D. Terns, to recommend the approval of the sewer assessment hardship deferral request for property parcels 4712-18-303-090 and 4712-19-201-061 each in the amount of \$806.93. **Motion carried.**

4. Proposed motions to forward to Brighton Township Board of Trustees - F. Grapentien introduced his reasoning for requesting this item be added to the agenda in light Public Comments during the January 4th Board of Trustee meeting and agrees that the Township should be more assertive about getting additional connections to the sewer system. F. Grapentien topics to discuss are:
 - a. Motion #1 – Should we ask the BTBT for a color coded map of the entire township sewer district which depicts separate areas (e.g. residential, commercial, vacant, payment over time, open developments). No formal motion. The Township Manager confirmed that it was something that staff could compile (with some flexibility in the creation) by the next regular meeting.
 - b. Motion #2 – Should we ask the BTBT to create a policy, admin letter, ordinance to the Livingston County Health Department that would require LCHD to allow Brighton Township to participate in the decision to issue septic field permit before such a permit is issued by the LCHD. No formal motion. The Township Manager will communicate this request to the LCHD.
 - c. Motion #3 – Should the Township Board fund a cost analysis to study bringing a sewer transmission line to the Sandilla development and requiring all properties within Sandilla and all properties in between to hookup. The Utility Committee suggestion would be the General Fund pay for the study and if cost beneficial pay for the project as opposed to the sewer fund. Manager Vick provided explanation of a current project, Deerfield, and the associated costs with sewer analysis and potential cost for a required pump station. Motion by Terns, supported by Moran. **Motion carried (3-1-1).**
 - d. Motion #4 - Should the Township Board give the Utilities Committee tasks, assignments, goals, etc. to help the Township Board in managing utility projects? This may require a joint special meeting to define roles and responsibilities. What else should we be doing to help the Township Board? D. Taylor questioned whether the eight original tasks of the Utilities Commission need to be reassessed. Motion by F. Grapentien to request a joint special meeting with the Township Board to define roles and responsibilities of the Utilities Committee. Supported by Terns. **Motion carried**

REPORTS / CORRESPONDENCE

1. Maintenance Project Updates – Infrastructure Alternatives had distributed the November 2015 monthly operating report prior to the meeting. Mr. Boven highlighted key WWTP maintenance activities. Introduced Tom High as the newest member of the IAI staff and will be the facility manager for the WWTP. Per the distributed graphs, the system continues to be tight with very limited ground water infiltration.

COMMITTEE MEMBER COMMENTS

- D. Taylor – asked what the protocol for adding discussion topics to the Utilities Committee agenda. D. Taylor spoke to the handout which he provided to the Committee earlier in the meeting. The handout was his calculation of the running total of quarterly billing and SAD payments. D. Taylor suggested that the Committee take action on recommending to the Township Board the immediate discontinuation of the quarterly debt service charge prior to the issuance of the next quarterly bill. Further, that there is adequate unrestricted funds in the general fund which could be used to pay existing sewer debt. Manager Vick advised the committee that the typical protocol would be for committee members to provide material to the Manager prior to the distribution of the meeting packet or prior to the meeting with the committee deciding whether to place the late addition as a business topic during the “setting of the agenda”. Otherwise the committee can also entertain calling for a special meeting. Manager Vick requested that any further consideration on deviating from the existing financial payoff scenario be re-projected through the assistance of the Township consultant.

CALL TO THE PUBLIC

J. Sarna, 8266 Woodland Shore Dr.: appreciated the mention of Sandila being added to the system; according to his calculations the homeowners have over-paid, the Township has available funds to pay for this Township asset, questioned legal authority to issue debt service charge.

M. Palmer, 10382 East Grand River: consult the community master plan regarding development and the extension of water and sewer; Attorney Harris letter dated April 23, 2013 and the 200 foot rule, sewer ordinance change suggested shifting grinder pump responsibility to property owners; authority to change the ordinance to requiring 200 foot hook ups.

K. Couch, 2966 Cady Drive: residents have paid their share, previously existing septic fields were destroyed, put new users on the hook for these extra charges.

J. Romes, 2703 Brad Place: the original SAD amount has been exceeded; Township should stick to the original cost,

Ba. Potocki, 8420 Woodland Shores Drive: they were required to pay for a septic field and tank prior to installing the sewer and then made to decommission it; questioned undertaking sidewalk project.

Bo. Potocki, 8420 Woodland Shores Drive: Township has abused this neighborhood; his cost for sewer was \$30,000; system was built to big; Drain Commissioner told him that there is no list of sewer users; fraud and misrepresented the costs; (received additional minutes from Randall Lucas 8434 Carols Drive); he questioned the financial figures (transfers, borrowing, quarterly bills and REU totals); wants to see evidence of the 467 REU increase.

**C. Moran moved and D. Terns supported to adjourn at 10:25 pm.
Motion carried.**

Respectfully submitted,

Mark Sweatman, Chairman

Frank Grapentien, Secretary

**Utilities Committee
AGENDA NOTES**

MEETING DATE: April 27, 2016

PERSON PLACING ITEM ON AGENDA: Manager

AGENDA TOPIC: REU Assignment Appeal - 8336 Hilton Road

EXPLANATION OF TOPIC:

Each property owner has a right to an administrative appeal of the assignment of REUs to a property pursuant to the Township REU schedule. The owner of the property located at 8336 Hilton has requested such an appeal.

Since mid-2015, Township staff has been working with the property owner as the property owner has explored the possibility of renting building space to be used as a personal training facility (Training Room / MI Fitness). The property has previously purchased 6 REU's and based upon the Township ordinance REU schedule would be required to purchase 3 additional REU

The Township engineering consultant, OHM has been provided a copy of the applicants appeal material and is in the process of compiling a report to assist the Committee in their task.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- Brighton Township Sewer Ordinance Excerpt
 - REU Assignment Appeals
 - Appendix A – Unit Factor Table
- Appeal material submitted by applicant
 - A. Email from Township Planner (1/4/16) forwarding 12/30/15 applicant appeal
 - B. Email from Township Planner (1/4/16) forwarding Non Residential Space Calc.
 - C. Email between Manager and OHM (1/4/16)
 - D. Email between Manager and Applicant (1/5/16)
 - E. Email between Manager and Applicant (1/14/16)

POSSIBLE COURSES OF ACTION:

Per the Township Ordinance, the Utilities Committee may reverse, or modify, with or without conditions, the Manager's REU assignment and shall make a decision by majority vote.

The applicant can appeal the Utilities Committee decision to the Township Board or pursue the "metering option" as detailed in the ordinance.

RECOMMENDATION: Recommendation is pending OHM review letter.

SUGGESTED MOTION: moved by, _____ seconded by, _____ to _____.

Any and all charges, such as property owner's direct charges, O&M charges and Debt Service charges, special assessment charges, interest, penalties and all other charges whatsoever related to the operations under this Ordinance, shall be a personal obligation of the Owner of the Premises and shall become a lien against the Premises until paid. Until all such charges are paid, the Township may, at the option of the Township Board, proceed with a personal action against the Owner or foreclose upon the aforesaid lien, or both, to the extent necessary to collect such amounts owed and all related costs of collection of said amounts that are incurred by the Township.

On the first day of September of each year, any and all balances that are past due for 90 days or more, including the 10% penalty assessed in 5. Nonpayment of the above shall be certified to the next Township tax roll as a lien for collection against the Premises served. Such lien shall be collected and enforced in the same manner as provided by law for Township taxes assessed on the roll. Any and all charges certified for collection through the tax roll shall have added to them a 10 percent penalty on the entire amount of the lien in addition to previous charges.

7. REU Assignment Appeals.

- A. Every Owner has a right to an administrative appeal of the assignment of REUs to a Property pursuant to the Township's REU schedule as applied to a particular Property. Claims of economic hardship shall not be considered grounds for an administrative appeal.
- B. A written appeal shall be submitted to the Manager within 15 days of the assignment of REU's. The appeal shall identify the assigned REU's and how the Owner feels they were incorrectly calculated. The Manager shall submit his/her written decision within 15 days after receiving the written appeal by a written decision sent by regular mail to the Owner.
- C. If the Owner is dissatisfied with the Manager's decision, a written appeal may be taken to the Utilities Committee by any User within 30 days from the date of the order, requirement, decision or determination as to application or interpretation of the REU schedule as applied to a particular Property, by filing with the Manager a notice of appeal specifying the grounds for the appeal and the payment of the appeal fee, if such a fee is established by the Township Board. All provisions of the Open Meetings Act shall apply to the proceedings of the Utilities Committee. If no appeal is taken within the 30 days, the order, requirement, decision, or determination shall be final.
- D. The Utilities Committee shall fix a reasonable time for the hearing of the appeal and render a decision within 60 days from the date of filing the notice of appeal, unless an extension of time is required by a decision of the majority of the members of the Utilities Committee present, whose decision shall state the reasons for the extension.
- E. Minutes of the appeal hearing shall be kept in accordance with the Open Meetings Act and contain the grounds of the determination made by the Utilities Committee.
- F. The Utilities Committee may reverse or modify the order, requirements, decision, or determination appealed from and shall make an order, requirement, decision, or determination as in the Utilities Committee opinion ought to be made. The Utilities Committee may impose conditions upon an affirmative decision on appeal. The concurring vote of a majority of the total members of the Utilities Committee shall be necessary to reverse an order, requirement, decision, or determination.

- G. Further appeal of the Utilities Committee determination shall be submitted to the Township Board. The appeal request shall be submitted to the Township Clerk within 15 days of the Utility Committee's final determination. The Township Board will convene a hearing on the matter and render a final determination within 45 days of receipt by the Township Clerk of the appeal. Further appeals shall be to the appropriate court.
- H. In ruling on an appeal, the Township may consider the current REU schedule, evidence of actual maximum usage, whether actual metering is appropriate, the economic life of the System and the particular properties, uses or classes of uses involved, the history of the particular land use in the community and similar communities and the policies, fees and rates of similar communities, and any other data deemed relevant to make a determination.

8. Metering Option (Non Residential Properties Only).

If the determination by the Utilities Committee in the Administrative Appeals section 17-7 above is not agreeable to the appellant, the following "Metering Option" may be used by the Owner.

All REU fees and quarterly User Charges determined under section 17-7 above shall be paid to the Township Treasurer. The difference between the Utilities Committee's determination of the appropriate assignment of REUs and quarterly User Charges for the Property as established in 17-7, less the number the User alleges is appropriate, shall be held in escrow with the Township Treasurer until final determination is made. The number the User alleges is appropriate shall be retained by the Township. Upon a final determination of the appropriate number of REU's to be assigned to the Property, any REU fees and quarterly User Charges in escrow shall be apportioned between the Township and the User per the final determination.

The Owner must put in an approved water meter. The water meter purchase, installation and meter reading process must be coordinated through, and approved by, the Township. The meter location and installation shall be approved by the Township and the Owner shall obtain all applicable permits.

The Owner shall coordinate and pay all costs associated with the purchase and installation of the water meter, meter accuracy testing if required, and pay the Township's cost of processing the meter readings to determine the REUs,

Water meter readings shall be taken and logged daily. They shall be taken at nearly the same time each day to represent daily usage of water through the meter. A log of the meter readings shall be kept near the meter and shall be made available to an authorized Township employee or contractor whenever requested. Request(s) by the Township to review the log and read the meter may be made on an unannounced basis.

The meter may be read during normal work days for the business excluding week-ends if that constitutes normal usage. If peak usage may occur during a week-ends, meter readings must be taken on the week-ends.

The water meter readings shall continue for a minimum of twelve (12) months.

This option is not to be used on partially occupied buildings. It may only begin after full occupancy.

The maximum daily flow will be used in determining the REU assignment. The maximum daily flow during the total time monitored above shall be divided by 200 gallons per day to determine the number of REUs assigned by

this option. Fractional REUs will be rounded up to the next higher whole number of REUs.

If at any time during the monitoring period the number of REUs observed on any day exceeds the assigned number of REUs the higher REU figure will be considered as accurate and additional fees for those REUs shall be placed in escrow.

9. REU Assignments

A. A minimum of 1 REU shall be assigned to any building hooking up to the System. Any fractional REU's shall be rounded up to the next whole number.

B. Any expansion or change in a building use or intensity shall be cause for a reevaluation and/or reassignment of REU's. A change in a building use or intensity will not result in a reduction of REUs already assessed against a building.

C. Each unit within a building developed pursuant to PA 1978, No. 59, the Condominium Act, shall be considered a separate structure and will be assessed REUs based on the use or intensity of each unit.

D. The Township, by action of the Township Board, may adopt policies for combining, splitting, reassigning and reassessing REUs.

Sec. 22-18. Deferral of Special Assessment Charges and Waiver of User Charges and Debt Service Charges.

1. Hardship Cases.

The Township does not have the authority to waive any special assessment. The Township Board may determine that it is appropriate to grant the deferment of special assessments imposed for the Township's System or any extensions thereto in certain circumstances in accordance with the authority set forth in Section 9a of Act 188, Public Acts of 1954, as amended. Any property owner who has property that is subject to a special assessment may, in accordance with the procedures set forth in Section 9a of Act 188, apply to the Manager for deferment of all or part of the annual portion of the principal and interest coming due on a special assessment. The Manager shall forward any such application to the Utilities Committee, established by the Township Board. Consideration of deferrals shall be based on guidelines adopted by action of the Township Board.

2. Financial Hardship.

The Utilities Committee shall examine any application for a deferral of the annual portion of the principal and interest coming due on a special assessment. The Utilities Committee shall recommend granting a full or partial deferment of the amount coming due in that year if the applicant meets the Township's then existing criteria for the deferral of special assessments as set by action of the Township Board

3. Conditions for Deferment.

All applications for deferrals must be submitted prior to the time that the annual special assessment installment is billed to the property owner. The Township Board shall establish, by appropriate action, the date by which such applications for deferrals must be submitted and the date by which the Utilities Committee shall make its final determinations.

APPENDIX A

BRIGHTON TOWNSHIP, MICHIGAN Sanitary Sewer Ordinance EQUIVALENT UNIT FACTOR TABLE FOR SEWER TAP FEE SCHEDULE

User	Unit Factor	
Auto Dealers	0.40	per 1,000 sq. ft.
Auto Repair/Collision - Body Shop	1.00	per shop plus 0.5 per 1,000 sq. ft.
Banks	0.25	per employee station
Barber Shops	1.00	per shop plus 0.1 per chair after 2
Bars	4.00	per 1,000 sq. ft.
Beauty Shops	1.00	per shop plus 0.15 per booth
Bed & Breakfast Establishments	1.00	per building plus 0.2 per guest room
Boarding Houses	1.00	per building plus 0.2 per bedroom
Boarding Schools	0.27	per bed
Bowling Alleys (w/o bars or lunch)	0.16	per alley
Bowling Alleys (w/bar and/or lunch)	0.60	per alley
Car Wash (production line w/o recycle)	10.00	per single production line
Car Wash (production line w/recycle)	5.00	per single production line
Car Wash (self service)	1.25	per stall
Child Care Centers	1.00	per premise plus 0.05 per person
Churches	0.25	per 1,000 sq. ft. (minimum 1.0 unit)
Cleaners (pick-up only)	1.00	per shop
Cleaners (pressing facilities)	1.25	per press
Convalescent Homes	1.00	per premise plus 0.5 per bedroom
Convents	1.00	per premise plus 0.25 per bedroom
Country Clubs & Athletic Clubs	1.50	per 1,000 sq. ft.
Doctor's Office	1.00	per premise plus 0.5 per exam room
Drug Stores	0.25	per 1,000 sq. ft. (minimum 1.0 unit)
Factories (exclusive of industrial flow)	0.50	per 1,000 sq. ft.
Fire Stations	0.20	per stationed firefighter/24 hours
Fire Stations (volunteer)	1.00	per premise
Florist	1.10	per 1,000 sq. ft.
Fraternal Organizations (members only)	1.00	per hall
Fraternal Organizations (members & rentals)	2.00	per hall plus bar, restaurant, etc.

User	Unit Factor	
Funeral Homes	1.50	per 1,000 sq. ft. plus residence
Garden Center (nursery)	1.00	per premise plus 0.5 per employee
Government Office	0.40	per 1,000 sq. ft.
Grocery Stores & Markets	.50	per 1,000 sq. ft.
Hospitals	1.09	per bed
Hotels/Motels (private baths)	0.25	per bedroom plus bar, restaurant, etc.
Industrial Buildings (exclusive of wet process)	0.50	per 1,000 sq. ft.
Laundry (self-service)	0.54	per washer
Lumber Yard	1.00	per each 15 employees
Manufactured Home (within licensed mobile home park)	.77	per home
Manufactured Homes (not within licensed mobile home park)	1.00	per home
Multiple Family Residence	1.00	per dwelling unit
Office Building	0.40	per 1,000 sq. ft.
Pet Shops	1.10	per 1,000 sq. ft.
Pool Halls	0.10	per table
Post Office	1.00	per 1,000 sq. ft.
Printing Shop	0.50	per 1,000 sq. ft.
Public Institutions (other than hospitals)	0.75	per 1,000 sq. ft.
Research & Testing Laboratories	0.75	per 1,000 sq. ft.
Restaurants (dinner and/or drink)	4.00	per 1,000 sq. ft.
Restaurants (fast food)	10.00	per restaurant
Restaurants (meals w/service & dishes)	2.50	per 1,000 sq. ft.
Restaurants (take-out)	1.50	per 1,000 sq. ft.
Retail Stores	0.30	per 2,000 sq. ft.
Rooming Houses (no meals)	0.25	per room
Schools (no cafeteria, catering service, showers or pool)	1.00	per classroom
Schools (with cafeteria only)	1.00	per classroom
Schools (with cafeteria and showers)	1.50	per classroom
Schools (w/o showers and/pool)	1.00	per classroom
Schools (w/showers and/ pool)	1.50	per classroom
Service Station		
Gas Service	0.50	per pump

User	Unit Factor	
w/auto repair	1.00	per premise plus .15 per stall
w/mini mart	1.00	per premise plus .5 per 1,000 sq. ft. of bldg.
Single Family Residence	1.00	per residence
Skating Rinks	0.40	per 1,000 sq. ft.
Snack Bar (drive-in)	2.50	per 1,000 sq. ft.
Sport Centers	0.05	per employee
Stores (other than specifically listed)	0.25	per 1,000 sq. ft.
Swimming Pools	3.00	per 1,000 sq. ft.
Tennis Clubs	0.08	per member
Tennis or Handball (indoor club)	0.50	per court
Theaters (drive-in)	0.03	per car space
Theaters	0.01	per seat
Tourist Courts (individual bath units)	0.27	per cubicle
Trailer Parks (central bath units)	0.40	per trailer
Veterinary Facility	0.50	per veterinarian (minimum of 1.0)
Warehouses & Storage	0.10	per 1,000 sq. ft.

- See Section 22-17 for REU Fees, Assignments and Appeals

A

From: Planner
Monday, January 04, 2016 9:43 AM
Rushlow, Jacob
Manager
Subject: 8336 Hilton Rd. REU appeal
Attachments: 201601040939.pdf

Please find the attached which was submitted today re: sewer appeal. Thanks.

Original Message-----
From: AdminScanner@brightontwp.com [mailto:AdminScanner@brightontwp.com]
Sent: Monday, January 04, 2016 9:39 AM
To: 'Planner' <planner@brightontwp.com>
Subject: Scan from LanierAdmin

E-mail was sent from "LANIERADMIN" (MP C3502).

Date: 01.04.2016 09:39:15 (-0500)
Sent to: AdminScanner@brightontwp.com

Redacted image from LanierAdmin attached courtesy of Applied Imaging.



December 30, 2015

CIVIL ENGINEERS LAND SURVEYORS
2183 PLESS DRIVE, BRIGHTON, MICHIGAN 48114-9463
(810) 227-9533 FAX (810) 227-9460
EMAIL: desine@desineinc.com

RECEIVED

JAN 04 2016

BRIGHTON TOWNSHIP

Ms. Kelly Matthews
Charter Township of Brighton
4363 Buno Road
Brighton, Michigan 48114

RE: Eric Duncan- 8336 Hilton Road
Reduction Request

Dear Ms. Matthews

Mr. Duncan is proposing a personal training facility, **Training Room/MI Fitness**, on Hilton Road in a portion of the building located at 8336 Hilton Road in Brighton Township. The facility is 2581 square feet with 1817 square feet of open exercise room. The **Training Room/MI Fitness** facility is a center which focuses on personal and small group training. These types are typically smaller than commercial gyms which cater to walk-in clients such as Planet Fitness and Golds' gyms. This facility will provide individual personal training with a trainer in a small gym setting. Limited size provides a more private, personal setting for clients to train in. Small classes consisting of 2-8 people are also available. The facility operating hours will be from 5 a.m – 8 p.m. (8 a.m opening on Tuesday/Thursday/Saturday). The **Training Room/MI Fitness** is anticipated to employ a maximum of 5 trainers. The typical daily client count is 50 with a peak client count of approximately 100. The remainder of the building, 7743 SF, is occupied by Duncan Chiropractic offices.

The Township has classified the **Training Room/MI Fitness** facility use under the **Country Club & Athletic Club** classification which has an equivalent unit factor of 1.50 REUs per 1000 square feet. Per the Charter Township of Brighton's Engineering Standards, one (1) REU equates to an average of 240 gallons per day of water used and/or sanitary sewage generated. As illustrated on the attached REU Analysis Chart, 1 REU also equates to an average flow of 10 gallons per hour and a peak hour flow rate of 45 gallons per hour.

Significant differences can be found in water uses portrayed in historical studies which many communities have used in developing REU tables. Some of this historical data predates the use of water saving devices and stricter construction practices.

In evaluating the anticipated use for the **Training Room/MI Fitness** facility, a local study completed within the community was consulted for comparison purposes. A local study more accurately reflects the water usage habits in the community. The Marion, Howell, Oceola Genoa (MHOG) Sewer and Water Authority have conducted studies which reflect not only the usage habits of the immediate vicinity but also the improved construction techniques, products and water saving devices which are incorporated in today's buildings.

The attached memo from MHOG staff to the Marion, Howell, Oceola & Genoa Township Planning Departments dated November 20, 2013 outlines the methodology and evaluation they did to update their REU schedules. In looking at their category titled **Country Club & Athletic Club** they studied three local representative facilities. Two of which are similar in nature to the applicants use as a personal training facility with the exception that they have open membership which is open for walk-ins. The two facilities are Total Fitness and Snap Fitness. The third local facility was the Oak Pointe Country Club. This facility has extensive uses beyond just the fitness area. The Oak Pointe Country Club facility includes not only the fitness center, but also various dining areas, banquet areas, tennis courts, driving range etc. In reviewing the data from the MHOG report, the Oak Pointe Country Club was not included due to the dissimilar types of uses offered.

Snap Fitness is a 24/7 gym while Total Fitness had hours which exceed those of the **Training Room/MI Fitness**. Each of these gyms are more traditional gyms in that they cater to individuals who primarily train on their own. These facilities and the analysis done by MHOG provides a conservative usage analysis which can be applied to the **Training Room/MI Fitness**.

In summary, the usage at the facilities studied are:

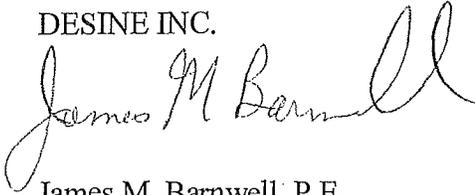
<u>Facility</u>	<u>Peak Quarterly Usage</u>	<u>Average Daily Usage</u>	<u>Facility REU 240 GPD/REU</u>	<u>Calculated REU Factor</u>
Total Fitness: (4000 SF)	17,000 gal	189 gal	0.8 REU	.20 REU/1000SF
Snap Fitness (4000 SF)	36,000 gal	400 gal	1.7 REU	.43 REU/1000SF

Currently the proposed **Training Room/MI Fitness** facility does not have showers, but this is contemplated in the near future. Showers are provided in the two comparison facilities noted above.

Applying the 0.43 REU per 1000 square feet to the 2581 square feet for the **Training Room/MI Fitness** results in 1.11 REUs. It is our opinion that the study performed by MHOG conservatively reflects the water usage of the **Training Room/MI Fitness** and that a REU assignment for this facility should be 1.2 REUs. The **Training Room/MI Fitness** will be operated less hours than the facilities reviewed and are of a similar nature size and scale. The only significant operational difference is that the **Training Room/MI Fitness** is restricted in use which will result in less clients per day.

Respectfully submitted,

DESINE INC.

A handwritten signature in cursive script that reads "James M. Barnwell". The signature is written in black ink and is positioned above the printed name.

James M. Barnwell, P.E.

Enc.

cc: Eric Duncan

152779\TWP\PREU ltr 12-30-15



Memorandum

To: Marion, Howell, Ocala & Genoa Township Planning Departments
From: MHOG Staff
Date: November 20, 2013
Re: MHOG Water System – Commercial REU Evaluation

At this time, all four participating Township's in the MHOG water system use a Tap Fee Table to calculate the Residential Equivalent Units (REUs) of a proposed commercial development. Typically the Township Planning Department assigns Tap Fees for proposed commercial and industrial connections to the MHOG municipal water system. This table was adopted numerous years ago by most of the Townships, before the MHOG system had enough users to evaluate typical use data. Additionally, the majority of data to develop these tables was from the 1970s, and therefore is not compatible with today's more modern water saving devices.

We understand that many times Townships are challenged by new commercial users on the amount of assessed taps, and therefore our primary goal in developing this study was to come up with a sound and defensible methodology to assess tap fees. As the MHOG system is now operating with numerous commercial users, the MHOG Utility Department was able to complete an evaluation of the average REU usage for different categories of commercial users. From this data, we were able to update the recommended Unit Factors for calculating REUs for proposed commercial developments. We are pleased to provide the Township Planning Departments with this new information to assist with tap fee calculations.

MHOG will be hosting a meeting at Genoa Township Hall, 2911 Dorr Road, Brighton, on **Wednesday, December 4th at 10 AM** to review the data contained in this binder. Please RSVP by email to jenifer@genoa.org by December 2nd if you plan on attending.

The Recommended MHOG Equivalent User Table can be found in **Table 3** of this binder. Below is a description of the methodology of how the recommendations were calculated.

Methodology - Determining Rate of 1 REU

One of the first tasked, was to determine how many gallons of water constitute a REU in the MHOG System. The MHOG Engineering Standards define 1 REU = 260 gallons per day (gpd), and for design the conservative value of 260 gpd/REU should continue to be utilized. However, this study used actual meter readings of commercial users throughout the MHOG system, and therefore to determine the residential equivalent the average metered usage of a residential customer was analyzed. To complete this analysis we evaluated metered water data (exclusive of irrigation) on 2 streets in each Township with varying home value and sizes. From this data it is recommended for converting commercial meter data to a residential factor 218 gpd/REU should be utilized. See attached **Table 1** for a detailed summary of how the 218 gpd/REU was calculated.

Methodology – Number of Categories Recommended

Currently, three of the four Township's (Marion, Oceola, and Genoa) in the MHOG Authority use the same REU table, which contains 73 categories of commercial usage. **Table 2** contains the existing table used Marion, Oceola, and Genoa Townships. For each of the existing 73 categories, MHOG used the existing billing records of the customers connected to the MHOG water system and attempted to find business for each category. If a minimum of 2 users in a category were connected to the MHOG system, with a minimum of 2 years of water meter data available, then that category was evaluated for this study. Based on these parameters, 32 of the existing 73 categories were evaluated for this study. In addition, 8 new categories were recommended to be added to the table.

Table 3 contains the recommendations for 40 commercial categories, 32 existing categories and 8 new categories. For the remaining 41 categories in the Marion, Oceola and Genoa tables, there was insufficient usage data to evaluate them effectively, and therefore they were eliminated from the analysis.

Table 4 compares the current recommendations to the existing tables currently utilized by each Township.

For categories not included in the recommendations MHOG staff has developed the attached "Recommended Methodology for Calculating REUs for a Commercial User Not Listed". (**Tab 2** of this Binder). This provides Township staff with the methodology to assess REU fees to those businesses not currently identified in the table.

Methodology – Recommended Unit Factor for Each Category

Usage Analysis: For each user analyzed quarterly metered data from billing was evaluated. For the usage analysis, the highest metered quarter during 2011 and 2012 (exclusive of irrigation) was used. Two to ten commercial customers were analyzed per category, depending on the predominance of that category within the MHOG system. Data was also collected from surrounding communities for some categories, and if it was justified, a new category was recommended.

Unit Factor Analysis: Typically the REU unit factor is a calculated per 1,000 square feet (sf) of building area. If deemed more relevant the number of employees or some other common factor was used. For each business analyzed, we researched the necessary data for the proposed unit factor. For example, if the existing category's unit factor was per 1,000 s.f., we determined the size of the building of the existing user on the MHOG system.

The recommended unit fact was then calculated based on the average of all users studied in each category. In some cases the high and low users were eliminated from the analysis before the average was applied.

For all categories evaluated the detailed data for each user is contained in **Table 5**.

Summary

This study provides the following benefits:

- Provides a methodology more in line with current land uses and business types,
- Provides a methodology to assess REU fees to those business not currently identified in the table.
- Takes into account actual usage data from commercial users in our service area
- This data was approved by the Marion, Howell, Oceola, and Genoa Sewer and Water Authority Board for Recommendation to Township Planning Departments.

B

Manager

From: Planner
Sent: Monday, January 04, 2016 12:40 PM
To: Manager
Subject: 8336 Hilton
Attachments: 8336 hilton- avio showroom-12-19-300-036.xls

Kelly Mathews
Planner
Charter Township of Brighton
4363 Buno Rd.
Brighton, MI 48114
Office: 810-229-0562
Fax: 810-229-1778

Charter Township of Brighton

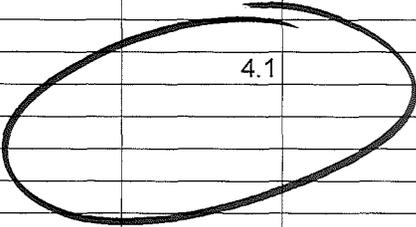
Non Residential Space Calculations - Sewers

Name Of Building: Willow Branch Properties LLC
Street Address: 8336 Hilton Road
Tax ID Number: 12-19-300-036

Original Sq. Ft. Calculation	13,036 sq.ft.			REUs Purchased		
Original Use Classification				Date	Quantity	TOTAL
Original REU Assignment			1	4/3/06	5	6

Suite / Space Calculations Updated on 7/1/15

Tenant Name	Suite No. / Space ID	Date	Total Area Per Sketch	Tenant Lease Use	Use Factor From Table	Calculated REU's	REUs Assigned
Duncan Chiropractic		3/28/2013	2581	Chiropractor	1 prem. + 8 room/2 = 5	5	6
		3/28/2013	2581				
		3/28/2013	2581				
The Training Room		7/1/2015	2581	Athletic Club	1.5/1000	4.1	
Total Tenant Consumed REUs						9.1	6



INCORRECT
 SEE CORRECTED

Manager

From: Rushlow, Jacob <jacob.rushlow@ohm-advisors.com>
Sent: Monday, January 04, 2016 4:14 PM
To: Manager; Planner
Subject: RE: 8336 Hilton Rd. REU appeal

Brian,

Thanks for the update. Yes I would request monthly billings from 3 comparable sites that cover at least 1 full year. Also important for those comparable sites to include building size, operational characteristics (hour and days), number of employees, number of patients/members visiting each day, etc. so we have a good comparable basis from similar sites.

Jacob

-----Original Message-----

From: Manager [<mailto:manager@brightontwp.com>]
Sent: Monday, January 04, 2016 3:57 PM
To: Planner <planner@brightontwp.com>; Rushlow, Jacob <jacob.rushlow@ohm-advisors.com>
Subject: RE: 8336 Hilton Rd. REU appeal

Jacob:

I don't believe that you need to do a full review at this time. But to ensure that you have all the information I am going to request that the applicant provide monthly or quarterly billing for three comparable facilities. Any other comparable information I should be asking for on the front end?

Brian P. Vick
Township Manager
Charter Township of Brighton
810.494.0710

-----Original Message-----

From: Planner
Sent: Monday, January 04, 2016 9:43 AM
To: Rushlow, Jacob
Cc: Manager
Subject: 8336 Hilton Rd. REU appeal

Please find the attached which was submitted today re: sewer appeal. Thanks.

-----Original Message-----

From: AdminScanner@brightontwp.com [<mailto:AdminScanner@brightontwp.com>]
Sent: Monday, January 04, 2016 9:39 AM
To: Planner <planner@brightontwp.com>
Subject: Scan from LanierAdmin

This E-mail was sent from "LANIERADMIN" (MP C3502).

D

Manager

From: James Barnwell <jimb@desineinc.com>
Sent: Tuesday, January 05, 2016 10:54 AM
To: Manager
Cc: neverneverneverquit@gmail.com
Subject: RE: 8336 Hilton Rd. REU appeal

Mr. Vick,

In response to your email, I would like to set up a time to go over the information presented.

The information and analysis from MHOG is based on 2 years of actual meter data, 2011 and 2012, with the highest metered quarter being used in the study. The square footage and water usage of the comparable sites are presented in Table 5.

The hours of operation for Snap Fitness is 24 hours per day 7 days per week (24/7). They have staff on site during the day, but access is provided with key cards 24/7. Membership is unknown at this time.

Though closed now, I am familiar with Total Fitness, being a member for nearly 8 years. Their hours during the time of the study were generally 5 a.m to 11 p.m Monday thru Friday, 7a.m to 11 p.m on Saturday and 7 a.m. to 7. p.m on Sunday. Holidays such as Thanksgiving and Christmas they had limited hours, typically about 4-6 hours. During a portion of the study period, Total Fitness was open 24 hours a day from Monday morning til Friday at 11 p.m. Unfortunately they are no longer in operation and membership information is not available.

The comparables are presented because they are local establishments which represent similar operations, demographics, and water usage of the immediate area. The information and comparison if anything is conservative in that the hours of operation for both Snap Fitness and Total Fitness exceed those for Training Room/Mi Fitness. Unrestricted access at the comparable establishments during business hours creates more demand on the facilities. The Training Room/Mi Fitness is proposed as an exclusive fitness club with private training sessions and small classes.

The supporting study was performed by a local sewer authority which has no vested interest in the results of this appeal. As indicated in Brighton Townships' REU table, these types of operations are evaluated on building square footage and water usage. The information provided of existing similar establishments analyzed the REU assignments consistently with the criteria of Brighton Township. Based on the information from the MHOG study adjustments have been made in neighboring communities which accurately reflect the water usage habits in Livingston County. I will contact MHOG regarding obtaining copies of the actual billing information.

Respectfully,

Jim

James M. Barnwell
DESINE INC.
2183 Pless Drive
Brighton, MI 48114-9463
Phone: (810) 227-9533
Fax: (810) 227-9460
Email: jimb@desineinc.com

-----Original Message-----

From: Manager [<mailto:manager@brightontwp.com>]
Sent: Monday, January 04, 2016 5:04 PM
To: James Barnwell
Cc: Planner
Subject: FW: 8336 Hilton Rd. REU appeal

Mr. Barnwell:

The Township Planner, Kelly Mathews, has forwarded to me your letter dated December 30, 2015 regarding the REU assignment for 8336 Hilton. Per the Township Ordinance I have 15 days to provide a decision on your requested appeal. Unfortunately, at this point I do not have adequate information to deviate from our original assignment of 5 REU (based upon 1.5/1000 square feet). If you would like further consideration I will need the following information: monthly billings from 3 comparable sites that cover at least 1 full year. It is also important for those comparable sites to include building size, operational characteristics (hour and days), number of employees, number of patients/members visiting each day, etc. so we have a good comparable basis from similar sites.

Thank you.

Brian P. Vick
Township Manager
Charter Township of Brighton
810.494.0710

-----Original Message-----

From: Planner
Sent: Monday, January 04, 2016 9:43 AM
To: Rushlow, Jacob
Cc: Manager
Subject: 8336 Hilton Rd. REU appeal

Please find the attached which was submitted today re: sewer appeal. Thanks.

-----Original Message-----

From: AdminScanner@brightontwp.com [<mailto:AdminScanner@brightontwp.com>]
Sent: Monday, January 04, 2016 9:39 AM
To: Planner <planner@brightontwp.com>
Subject: Scan from LanierAdmin

This E-mail was sent from "LANIERADMIN" (MP C3502).

Scan Date: 01.04.2016 09:39:15 (-0500)
Queries to: AdminScanner@brightontwp.com

Scanned image from LanierAdmin attached courtesy of Applied Imaging.

Manager

From: James Barnwell <jimb@desineinc.com>
Sent: Thursday, January 14, 2016 11:22 AM
To: Manager
Cc: neverneverneverquit@gmail.com
Subject: RE: 8336 Hilton Rd. REU appeal
Attachments: Endeavor-Snap Fitness Usage.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Vick,
Attached is the summary of the usage for Snap Fitness, now known as Endeavor Fitness in Genoa Township. Total Fitness has since gone out of business. Endeavor/Snap Fitness had consumption higher than Total (see Table 5 of MHOG report). In our analysis for the Training Room/Mi Fitness we had utilized the water consumption for Endeavor/Snap Fitness. The MHOG study utilized the data from 2011 and 2012 in which a high reading of 36,000 gallons was observed. In a review of the most recent printout of the usage it is clear that this remains the high reading over 27 quarter (6+ years of operation).
If you have any questions, please contact me.

Thank you
Jim

James M. Barnwell
DESINE INC.
2183 Pless Drive
Brighton, MI 48114-9463
Phone: (810) 227-9533
Fax: (810) 227-9460
Email: jimb@desineinc.com

-----Original Message-----

From: Manager [<mailto:manager@brightontwp.com>]
Sent: Monday, January 04, 2016 5:04 PM
To: James Barnwell
Cc: Planner
Subject: FW: 8336 Hilton Rd. REU appeal

Mr. Barnwell:

The Township Planner, Kelly Mathews, has forwarded to me your letter dated December 30, 2015 regarding the REU assignment for 8336 Hilton. Per the Township Ordinance I have 15 days to provide a decision on your requested appeal. Unfortunately, at this point I do not have adequate information to deviate from our original assignment of 5 REU (based upon 1.5/1000 square feet). If you would like further consideration I will need the following information: monthly billings from 3 comparable sites that cover at least 1 full year. It is also important for those comparable sites to include building size, operational characteristics (hour and days), number of employees, number of patients/members visiting each day, etc. so we have a good comparable basis from similar sites.

Thank you.

Utility Billing Account History Report

Genoa Charter Township
2911 Dorr Road
Brighton, MI 48116
810-227-5225 ~ 810-227-3420 Fax

User Name: Carol
City Name: Genoa Charter Township
Printed: 01/14/2016 - 10:43:AM

MHOG Water & Sewer Department
800-881-4109 ~ 877-881-4078 Fax

Account Status: Active
Connect Date: 06/04/2009 Final Date:
Customer Name: Endeavor Fitness
Customer Address: 1456 Lawson
C/o Michael Jermov
Howell, MI 48843
Home Phone: (586) 306-7154 Ext.
Business Phone: () - Ext.
Customer Number: 014226 000

Total Acct Balance: 281.81
Deposits: 0.00 Refunds: 0.00
Owner name: Endeavor Fitness
Service Address: 1456 Lawson

Reference Number: Genoa

Tran Date	Tran Type	Amount	Description	Water	Sewer	Ready	Irrg Mtr	Misc	Penalty	Wtr RTS	Swr RTS
Current Balance By Service				124.53	147.28	0.00	0.00	0.00	0.00	10.00	0.00
01/15/2016	Balance	281.81		124.53	147.28					10.00	
01/15/2016	Billing	281.81		124.53	147.28					10.00	
11/02/2015	Payment	-242.61		-106.08	-126.80					-9.73	
10/15/2015	Balance	242.61		106.08	126.80					9.73	
10/15/2015	Billing	242.61		106.08	126.80					9.73	
07/21/2015	Payment	-223.53	Web Payment; XID=297644277; Mercha	97.24	-116.56					-9.73	
07/15/2015	Balance	223.53		97.24	116.56					9.73	
07/15/2015	Billing	223.53		97.24	116.56					9.73	
05/08/2015	Payment	-338.01		-150.28	-178.00					-9.73	
04/15/2015	Balance	338.01		150.28	178.00					9.73	
04/15/2015	Billing	338.01		150.28	178.00					9.73	
02/03/2015	Payment	-289.94		-127.81	-152.40					-9.73	
01/15/2015	Balance	289.94		127.81	152.40					9.73	
01/15/2015	Billing	289.94		127.81	152.40					9.73	
10/24/2014	Payment	-325.50		-142.89	-172.88					-9.73	
10/15/2014	Balance	325.50		142.89	172.88					9.73	
10/15/2014	Billing	325.50		142.89	172.88					9.73	
08/06/2014	Payment	-353.85		-155.88	-188.24					-9.73	
07/15/2014	Balance	353.85		155.88	188.24					9.73	
07/15/2014	Billing	353.85		155.88	188.24					9.73	
05/14/2014	Payment	-354.19		-142.89	-172.88				-28.69	-9.73	
04/15/2014	Balance	354.19		142.89	172.88				28.69	9.73	
04/15/2014	Billing	325.50		142.89	172.88					9.73	
03/10/2014	Payment	-286.91		-125.30	-151.88					-9.73	

Customer Number: 014226 000

Reference Number: Genoa

Tran Date	Tran Type	Amount	Description	Water	Sewer	Ready	Irrg Mtr	Misc	Penalty	Wtr RTS	Swr RTS
02/18/2014	Adjustment	13.50	GenWatPen						13.50		
02/18/2014	Adjustment	15.19	GenoaSew						15.19		
01/15/2014	Balance	286.91		125.30	151.88					9.73	
01/15/2014	Billing	286.91		125.30	151.88					9.73	
11/18/2013	Payment	-156.59		-67.04	-79.82					-9.73	
10/15/2013	Balance	156.59		67.04	79.82					9.73	
10/15/2013	Billing	156.59		67.04	79.82					9.73	
08/06/2013	Payment	-174.91	M2J LLC Paid	-75.42	-89.76					-9.73	
07/15/2013	Balance	174.91		75.42	89.76					9.73	
07/15/2013	Billing	174.91		75.42	89.76					9.73	
05/07/2013	Payment	-193.23		-83.80	-99.70					-9.73	
04/15/2013	Balance	193.23		83.80	99.70					9.73	
04/15/2013	Billing	193.23		83.80	99.70					9.73	
02/07/2013	Payment	-183.91		-79.52	-94.66					-9.73	
01/15/2013	Balance	183.91		79.52	94.66					9.73	
01/15/2013	Billing	183.91		79.52	94.66					9.73	
11/07/2012	Payment	-173.63		-74.70	-89.20					-9.73	
10/15/2012	Balance	173.63		74.70	89.20					9.73	
10/15/2012	Billing	173.63		74.70	89.20					9.73	
08/09/2012	Payment	-218.88		-95.45	-113.70					-9.73	
07/16/2012	Balance	218.88		95.45	113.70					9.73	
07/16/2012	Billing	218.88		95.45	113.70					9.73	
05/16/2012	Payment	-273.18	Web Payment; XID=167384945; Merchd	20.35	-143.10					-9.73	
04/16/2012	Balance	273.18		120.35	143.10					9.73	
04/16/2012	Billing	273.18		120.35	143.10					9.73	
02/15/2012	Payment	-182.26		-78.60	-93.93					-9.73	
01/17/2012	Balance	182.26		78.60	93.93					9.73	
01/17/2012	Billing	182.26		78.60	93.93					9.73	
11/04/2011	Payment	-188.33		-81.00	-97.60					-9.73	
10/17/2011	Balance	188.33		81.00	97.60					9.73	
10/17/2011	Billing	188.33		81.00	97.60					9.73	
08/10/2011	Payment	-267.62		-117.45	-140.44					-9.73	
07/15/2011	Balance	267.62		117.45	140.44					9.73	
07/15/2011	Billing	267.62		117.45	140.44					9.73	
04/20/2011	Payment	-324.53		-145.80	-169.00					-9.73	
04/15/2011	Balance	324.53		145.80	169.00					9.73	
04/15/2011	Billing	324.53		145.80	169.00					9.73	
02/11/2011	Payment	-235.60		-105.04	-120.83					-9.73	
01/18/2011	Balance	235.60		105.04	120.83					9.73	
01/18/2011	Billing	235.60		105.04	120.83					9.73	
11/01/2010	Payment	-163.26		-71.82	-81.71					-9.73	
10/15/2010	Balance	163.26		71.82	81.71					9.73	
10/15/2010	Billing	163.26		71.82	81.71					9.73	
07/27/2010	Payment	-214.38		-95.76	-108.89					-9.73	
07/15/2010	Balance	214.38		95.76	108.89					9.73	

Customer Number: 014226 000

Reference Number: Genoa

Tran Date	Tran Type	Amount	Description	Water	Sewer	Ready	Irrg Mtr	Misc	Penalty	Wtr RTS	Swr RTS
07/15/2010	Billing	214.38		95.76	108.89					9.73	
04/28/2010	Payment	-291.06		-131.67	-149.66					-9.73	
04/15/2010	Balance	291.06		131.67	149.66					9.73	
04/15/2010	Billing	291.06		131.67	149.66					9.73	
02/01/2010	Payment	-137.32		-59.63	-67.96					-9.73	
01/15/2010	Balance	137.32		59.63	67.96					9.73	
01/15/2010	Billing	137.32		59.63	67.96					9.73	
11/05/2009	Payment	-75.09		-15.36	-50.00					-9.73	
10/15/2009	Balance	75.09		15.36	50.00					9.73	
10/15/2009	Billing	75.09		15.36	50.00					9.73	
07/30/2009	Payment	-20.17			-10.44					-9.73	
07/15/2009	Balance	20.17			10.44					9.73	
07/15/2009	Billing	20.17			10.44					9.73	

Route Sequence Serial	GEX - lawso1456 - 70550825	Read Date	Reading	Consumption	Meter Status	ACTIVE
		12/22/2015	635	28		
		09/22/2015	607	24		
		06/23/2015	583	22		
		03/23/2015	561	34		
		12/18/2014	527	29		
		09/17/2014	498	33		
		06/19/2014	465	36		
		03/31/2014	429	33		
		01/07/2014	396	29		
		09/23/2013	367	16		
		06/25/2013	351	18		
		03/19/2013	333	20		
		12/20/2012	313	19		
		09/20/2012	294	18		
		06/25/2012	276	23		
		03/23/2012	253	29		
		12/12/2011	224	19		
		09/19/2011	205	20		
		06/22/2011	185	29		
		03/23/2011	156	36		
		12/14/2010	120	26		
		09/15/2010	94	18		
		06/22/2010	76	24		
		03/24/2010	52	33		
		12/11/2009	19	15		
		09/22/2009	4	4		
		06/23/2009	0	0		

Table 5 - Detailed Data from MHOG Commercial Users

Issued: August 2013

Updated: May 2014

User / Category	Current Unit Factor (Marion, Oceola & Genoa)	Business Name(s)	Number of Doctors	Peak Quarterly Building Usage (x1,000gal) Non-Irrigation	Average Day Usage (gals)	Building REUs (building usage gpd/REU factor)	Calculation of Recommended Unit Factor (per doctor)	2013 REU Study Usage Findings	Notes																																																																																																																																																																																																																																																				
Clinics	0.50 per doctor (minimum 1.0 unit)	RediCare	3	11	122	0.6	0.19	0.27 per doctor (1.0 min. per premise)	Derived by average use per doctor.																																																																																																																																																																																																																																																				
		Planned Parenthood	1	7	78	0.4	0.36			User / Category	Current Unit Factor (Marion, Oceola & Genoa)	Business Name(s)	Building footage Estimated from GIS (sf)	Peak Quarterly Building Usage (x1,000gal) Non-Irrigation	Average Day Usage (gals)	Building REUs (building usage gpd/REU factor)	Calculation of Recommended Unit Factor (REU/1,000 sf)	2013 REU Study Usage Findings	Notes	Country Clubs & Athletic Clubs	1.50 per 1,000 sq. ft.	Oak Pointe - Country Club	30,000	577	6,411	29.4	0.98	0.55 per 1,000 sq. ft. (1.0 min. per premise)	Derived by average use and building footage.	Total Fitness	4,000	17	189	0.9	0.22	Snap Fitness	4,000	36	400	1.8	0.46	User / Category	Current Unit Factor (Marion, Oceola & Genoa)	Business Name(s)	Number of Doctors	Peak Quarterly Building Usage (x1,000gal) Non-Irrigation	Average Day Usage (gals)	Building REUs (building usage gpd/REU factor)	Calculation of Recommended Unit Factor (per doctor)	2013 REU Study Usage Findings	Notes	Dentist	Recommend adding to REU table	Stilianos DDS	1	11	122	0.6	0.6	1.3 per dentist	Derived by average use per dentist.	Stines Family Dentistry	2	42	467	2.1	1.1	Niles DDS	1	43	478	2.2	2.2	User / Category	Current Unit Factor (Marion, Oceola & Genoa)	Business Name(s)	Building footage Estimated from GIS (sf)	Peak Quarterly Building Usage (x1,000gal) Non-Irrigation	Average Day Usage (gals)	Building REUs (building usage gpd/REU factor)	Calculation of Recommended Unit Factor (REU/1,000 sf)	2013 REU Study Usage Findings	Notes	Doctor's Office	1.0 per premise plus 0.5 per exam room	Advance Behavioral	2,500	67	744	3.4	1.4	0.6 per 1,000 sq. ft. (1.0 min. per premise)	Derived by average use and building footage.	Eye care one	2,600	30	333	1.5	0.6	Genoa Medical Center	70,000	201	2,233	10.2	0.1	Woodland Health	96,000	705	7,833	35.9	0.4	Drug Stores	0.40 per 1,000 sq. ft. (minimum 1.0 unit)	Walgreens	13,600	23	256	1.2	0.1	0.1 per 1,000 sq. ft. (1.0 min. per premise)	Derived by average use and building footage.	CVS	11,000	19	211	1.0	0.1	CVS	10,000	6	67	0.3	0.03	Factories (exclusive of industrial flow)	0.50 per 1,000 sq. ft.	CRW Plastics	48,000	128	1,422	6.5	0.14	0.13 per 1,000 sq. ft. (1.0 min per premise)	Derived by average use and building footage.	Industrial Resin	42,400	35	389	1.8	0.04	Advance Metal Alloys	14,000	7	78	0.4	0.03	Diversified Machine, Inc.	124,200	1,108	12,311	56.5	0.45	McGuire Spring Corp.	9,800	16	178	0.8	0.08	Lectra Tools	7,200	12	133	0.6	0.08	Tube Wright	26,000	26	289	1.3	0.05	Precision Stamping	53,000	138	1,533	7.0	0.13	Fraternal Organizations (members/rentals)	2.00 per hall plus bar, restaurant, etc.	Knights of Columbus (KofC)	6,600	43	478	2.2	0.33	0.3 per 1,000 sq.ft. (1.0 min. per premise)	Derived by average use and building footage.	Elks Club	7,100	34	378	1.7	0.24	Government Office	0.40 per 1,000 sq. ft.	Secretary of State	9,500	17	189	0.9	0.09	0.15 per 1,000 sq.ft. (1.0 min per premise)	Derived by average use and building footage.	Oceola Township Hall	8,500	17	189	0.9	0.10	Liv. Co. East Complex	55,250	290	3,222	14.8	0.27	Grocery Stores & Markets	1.10 per 1,000 sq. ft.	Meijer	183,500	595	6,611	30.3	0.17	0.26 per 1,000 sq.ft. (1.0 min per premise)	Derived by average use and building footage.	Aldi's	16,850	14	156	0.7	0.04	VG's grocery store	51,000	318	3,533	16.2	0.32	Middletown Market	9,700	72	800	3.7	0.38	O'Connors	3,000
User / Category	Current Unit Factor (Marion, Oceola & Genoa)	Business Name(s)	Building footage Estimated from GIS (sf)	Peak Quarterly Building Usage (x1,000gal) Non-Irrigation	Average Day Usage (gals)	Building REUs (building usage gpd/REU factor)	Calculation of Recommended Unit Factor (REU/1,000 sf)	2013 REU Study Usage Findings	Notes																																																																																																																																																																																																																																																				
Country Clubs & Athletic Clubs	1.50 per 1,000 sq. ft.	Oak Pointe - Country Club	30,000	577	6,411	29.4	0.98	0.55 per 1,000 sq. ft. (1.0 min. per premise)	Derived by average use and building footage.																																																																																																																																																																																																																																																				
		Total Fitness	4,000	17	189	0.9	0.22																																																																																																																																																																																																																																																						
		Snap Fitness	4,000	36	400	1.8	0.46																																																																																																																																																																																																																																																						
User / Category	Current Unit Factor (Marion, Oceola & Genoa)	Business Name(s)	Number of Doctors	Peak Quarterly Building Usage (x1,000gal) Non-Irrigation	Average Day Usage (gals)	Building REUs (building usage gpd/REU factor)	Calculation of Recommended Unit Factor (per doctor)	2013 REU Study Usage Findings	Notes																																																																																																																																																																																																																																																				
Dentist	Recommend adding to REU table	Stilianos DDS	1	11	122	0.6	0.6	1.3 per dentist	Derived by average use per dentist.																																																																																																																																																																																																																																																				
		Stines Family Dentistry	2	42	467	2.1	1.1																																																																																																																																																																																																																																																						
		Niles DDS	1	43	478	2.2	2.2																																																																																																																																																																																																																																																						
User / Category	Current Unit Factor (Marion, Oceola & Genoa)	Business Name(s)	Building footage Estimated from GIS (sf)	Peak Quarterly Building Usage (x1,000gal) Non-Irrigation	Average Day Usage (gals)	Building REUs (building usage gpd/REU factor)	Calculation of Recommended Unit Factor (REU/1,000 sf)	2013 REU Study Usage Findings	Notes																																																																																																																																																																																																																																																				
Doctor's Office	1.0 per premise plus 0.5 per exam room	Advance Behavioral	2,500	67	744	3.4	1.4	0.6 per 1,000 sq. ft. (1.0 min. per premise)	Derived by average use and building footage.																																																																																																																																																																																																																																																				
		Eye care one	2,600	30	333	1.5	0.6																																																																																																																																																																																																																																																						
		Genoa Medical Center	70,000	201	2,233	10.2	0.1																																																																																																																																																																																																																																																						
		Woodland Health	96,000	705	7,833	35.9	0.4																																																																																																																																																																																																																																																						
Drug Stores	0.40 per 1,000 sq. ft. (minimum 1.0 unit)	Walgreens	13,600	23	256	1.2	0.1	0.1 per 1,000 sq. ft. (1.0 min. per premise)	Derived by average use and building footage.																																																																																																																																																																																																																																																				
		CVS	11,000	19	211	1.0	0.1																																																																																																																																																																																																																																																						
		CVS	10,000	6	67	0.3	0.03																																																																																																																																																																																																																																																						
Factories (exclusive of industrial flow)	0.50 per 1,000 sq. ft.	CRW Plastics	48,000	128	1,422	6.5	0.14	0.13 per 1,000 sq. ft. (1.0 min per premise)	Derived by average use and building footage.																																																																																																																																																																																																																																																				
		Industrial Resin	42,400	35	389	1.8	0.04																																																																																																																																																																																																																																																						
		Advance Metal Alloys	14,000	7	78	0.4	0.03																																																																																																																																																																																																																																																						
		Diversified Machine, Inc.	124,200	1,108	12,311	56.5	0.45																																																																																																																																																																																																																																																						
		McGuire Spring Corp.	9,800	16	178	0.8	0.08																																																																																																																																																																																																																																																						
		Lectra Tools	7,200	12	133	0.6	0.08																																																																																																																																																																																																																																																						
		Tube Wright	26,000	26	289	1.3	0.05																																																																																																																																																																																																																																																						
		Precision Stamping	53,000	138	1,533	7.0	0.13																																																																																																																																																																																																																																																						
Fraternal Organizations (members/rentals)	2.00 per hall plus bar, restaurant, etc.	Knights of Columbus (KofC)	6,600	43	478	2.2	0.33	0.3 per 1,000 sq.ft. (1.0 min. per premise)	Derived by average use and building footage.																																																																																																																																																																																																																																																				
		Elks Club	7,100	34	378	1.7	0.24																																																																																																																																																																																																																																																						
Government Office	0.40 per 1,000 sq. ft.	Secretary of State	9,500	17	189	0.9	0.09	0.15 per 1,000 sq.ft. (1.0 min per premise)	Derived by average use and building footage.																																																																																																																																																																																																																																																				
		Oceola Township Hall	8,500	17	189	0.9	0.10																																																																																																																																																																																																																																																						
		Liv. Co. East Complex	55,250	290	3,222	14.8	0.27																																																																																																																																																																																																																																																						
Grocery Stores & Markets	1.10 per 1,000 sq. ft.	Meijer	183,500	595	6,611	30.3	0.17	0.26 per 1,000 sq.ft. (1.0 min per premise)	Derived by average use and building footage.																																																																																																																																																																																																																																																				
		Aldi's	16,850	14	156	0.7	0.04																																																																																																																																																																																																																																																						
		VG's grocery store	51,000	318	3,533	16.2	0.32																																																																																																																																																																																																																																																						
		Middletown Market	9,700	72	800	3.7	0.38																																																																																																																																																																																																																																																						
		O'Connors	3,000	24	267	1.2	0.41																																																																																																																																																																																																																																																						

UTILITIES COMMITTEE

AGENDA NOTE

MEETING DATE: April 27, 2016

PERSON PLACING ITEM ON AGENDA: Township Manager

AGENDA TOPIC: Quarterly Debt Service Charge

EXPLANATION OF TOPIC:

During Committee Member Comments of the January 11, 2016 Utilities Committee meeting Doug Taylor requested that a special meeting be held at which The Committee discuss recommending to the Board the immediate discontinuation of the quarterly debt service charge. The Township Manager was directed to solicit committee member availability in anticipation of setting a meeting date. The Manager followed up by distributing a meeting wizard solicitation which resulted in this date.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- D. Taylor 1/11/16 handout "Original User Group in Brighton Township Sanitary Sewer – Payment against final Assessment Levied and Recorded as Part of County Bond Filing Requirement"
- D Taylor 4/19/16 email with handout "Doing the math"
- Township Manager Memo dated 4/22/16
- Brighton Township Board Agenda Material (excerpt) 4/18/16
- January 11, 2016 draft meeting minutes excerpt
- Meeting Wizard responses

RECOMMENDATION: Committee Discretion

SUGGESTED MOTION: moved by, _____ seconded by, _____ to

1/11/10

Original User-Group in Brighton Township Sanitary Sewer System
 Payment against Final Assessment Levied and Recorded as Part of County Bond Filing Requirement

Year	Quarterly Sewer Billings			Running Total of Payments versus \$12,400* Final 08/14/00 Assessment	Sewer SAD in Winter Tax Billings	
	Total	O&M	Capital		Principal	Interest
2000	-	-	-	\$ 620.00	\$620.00	\$129.95
2001	-	-	-	1240.00	620.00	740.73
2002	\$24.00	\$20.00	\$ 4.00	1864.00	620.00	701.74
2003	72.00	60.00	12.00	2496.00	620.00	662.76
	72.00	60.00	12.00	2508.00		
	72.00	60.00	12.00	2520.00		
	72.00	60.00	12.00	2532.00		
2004	97.42	69.42	28.00	3180.00	620.00	623.77
	110.12	74.12	36.00	3216.00		
	110.12	74.12	36.00	3252.00		
	110.12	74.12	36.00	3288.00		
2005	110.12	74.12	36.00	3944.00	620.00	584.78
	110.12	74.12	36.00	3980.00		
	111.75	75.75	36.00	4016.00		
	115.00	79.00	36.00	4052.00		
2006	115.00	79.00	36.00	4708.00	620.00	523.40
	115.00	79.00	36.00	4744.00		
	115.00	79.00	36.00	4780.00		
	115.60	79.00	36.00	4816.00		
2007	115.00	79.00	36.00	5472.00	620.00	486.02
	115.00	79.00	36.00	5508.00		
	118.50	79.00	39.50	5547.50		
	118.50	79.00	39.50	5587.00		
2008	118.50	79.00	39.50	6246.50	620.00	448.63
	118.50	79.00	39.50	6286.00		
	121.50	81.00	40.50	6326.50		
	121.50	81.00	40.50	6367.00		
2009	121.50	81.00	40.50	7027.50	620.00	411.25
	121.50	81.00	40.50	7068.00		
	121.50	81.00	40.50	7108.50		
	132.50	82.00	50.50	7159.00		
2010	132.50	82.00	50.50	7829.50	620.00	373.86
	132.50	82.00	50.50	7880.00		
	148.50	88.00	60.50	7940.50		
	148.50	88.00	60.50	8001.00		
Page total	\$2471.77	\$1181.00			\$6820.00	\$5686.89

Year	Quarterly Sewer Billings			Running Total of Payments versus \$12,400* Final 08/14/00 Assessment	Sewer SAD in Winter Tax Billings	
	Total	O&M	Capital		Principal	Interest
2011	148.50	88.00	60.50	8681.50	620.00	336.47
	148.50	88.00	60.50	8742.00		
	160.50	90.00	70.50	8812.50		
	160.50	90.00	70.50	8883.00		
2012	160.50	90.00	70.50	9573.50	620.00	299.09
	160.50	90.00	70.50	9644.00		
	167.16	90.00	77.16	9721.16		
	170.50	90.00	80.50	9801.66		
2013	170.50	90.00	80.50	10,502.16	620.00	261.70
	170.50	90.00	80.50	10,582.66		
	170.50	90.00	80.50	10,663.16		
	170.50	90.00	80.50	10,743.66		
2014	170.50	90.00	80.50	11,444.16	620.00	224.32
	170.50	90.00	80.50	11,524.66		
	170.50	90.00	80.50	11,605.16		
	176.00	95.50	80.50	11,685.66		
2015	176.00	95.50	80.50	11,766.16		
	176.00	95.50	80.50	11,846.66		
	176.00	95.50	80.50	11,927.16		
				<i>12,547.16</i>	<i>620.00</i>	<i>184.93</i>
	<i>176.00</i>	<i>95.50</i>	<i>80.50</i>	<i>12,627.66</i>		
<i>Page total</i>	<i>\$653.50</i>	<i>\$1,526.66</i>			<i>\$3,100.00</i>	<i>\$1,306.51</i>
TOTAL TOTAL	\$3,125.27	\$2,707.66			\$9,920.00	\$6,993.40

Purpose of this data:

- * Original user group people on Woodland Lake, Woodland Estates #4, West Grand River, East Grand River, and Fonda Lake were assessed \$12,400 per REU in the final paperwork sent to the County for bond filing requirements; they have been paying this amount over time through a combination of a Winter Tax line item Special Assessment (592) and the Capital/Debt Service portion of the Quarterly sewer billing. From these numbers above it will be seen that, they will have reached payout of \$12,400 when/after they pay their 2015 Winter Tax.
- Other people have paid their entire \$12,400 up front or remaining portion sometime during this 15 year collection history; Winter Tax billings would/should have stopped at that point; Quarterly Capital/Debt Service charges should have stopped as well.
- Further collection of Quarterly Cap/DebtSvc charges is unwarranted and collection itself is possibly illegal.

NOTES:

- **Running total of payments**, against the \$12,400 assessment, combine Capital charges from Quarterly payments with Principal payments in Winter Tax billings.
- The first O&M/Capital charge was levied in November 2002.
- Numbers in Black are billings already paid.
- **Numbers in red & italics = 2015 Winter Tax sewer SAD billing received but possibly not yet paid 2015 4th quarter billing, again received but possibly not yet paid**
- Data about single REU payment history was provided by Twp. Treasurer's Office. Received were:
 - Payment history for Winter Tax sewer 592 billings 2000 through 2014 & recent 2015 billing
 - Account history report from 2000 through 2015 for O&M and Capital/Debt Service charges

Manager

From: douglas taylor <taysag3@sbcglobal.net>
Sent: Tuesday, April 19, 2016 6:01 PM
To: Manager
Subject: FW: Sanitary Sewers - Taylor
Attachments: Sewers - Doing the Math.docx

Hi Brian

Following up again. With a Utilities Committee meeting now set for 04/27, will it be possible to have the request honored for the assessment roll as described below in my 3/17 E-mail for each of the Committee members. Also can the previous Township utilities ordinance be found (better, as you mentioned, a version with EXed out words and new words injected so changes are apparent)? Each Committee member should benefit from having these documents to refer to. Perhaps these can be included among the documents in the Committee's info packet to be sent out for the 04/27 meeting.

Thanks.
Doug

From: douglas taylor [<mailto:taysag3@sbcglobal.net>]
Sent: Wednesday, March 23, 2016 9:55 AM
To: 'Manager'
Subject: FW: Sanitary Sewers - Taylor

Brian

I don't know if you have had a chance to respond to my prior E-mail (below). This is a follow-up. If Twp. staff wants a format for the "final point" mentioned in the E-mail below, I can provide the report format (it is one used for the adopted assessment roll of 08/14/00).

Please advise.
Thanks.

Doug

From: douglas taylor [<mailto:taysag3@sbcglobal.net>]
Sent: Thursday, March 17, 2016 5:08 PM
To: 'Manager'
Subject: Sanitary Sewers - Taylor

Hi Brian

I'm reading thru the 38 pages of the Township's Chapter 22 Ordinance – Sanitary Sewer Systems, revised version effective 12/26/13. On p 32 it says this revised ordinance replaces the prior one - Chapter 21. So in trying to obtain and read the prior version, I went into the Township web-site and tried to retrieve Chapter 21 ... no luck. There is an ordinance 21 pertaining to Non-conforming Land Use, Lots, Etc. but no Chapter 21. Fooling around some more trying to locate Chapter 21, I was referred to a collective web-site that did contain Chapter 21, but the wording was the same as the revised Chapter 22 wording. How can I get a copy of the Township sanitary sewer ordinance (or whatever it was then titled) that applied in 1999-2000 or if after, the first one written? Can you provide?

I am also reading in the current ordinance that “The township board designates the manager as the supervisor and manager of the system and shall implement the policies as adopted by action of the township board.” Of the objectives listed is one: “To provide for equitable distribution of the cost of the system.” Equitable distribution of cost is one of the main issues of contention by the Ad Hoc Committee – and the most immediate one to address. It seems that as the manager of the system, you could have a major impact (and a manager’s responsibility) on recommending to the board corrective actions to more equitably distribute the costs of this system. I guess a key question would be “Could the Twp. Administration when the sewer bonds were issued intend that only the initial users were to pay for the entire amount of the \$27.8 million bond when they only assessed these users \$18.2 million?” Does the current Administration think such is a proper distribution of cost? (See Attached as what the impact to this initial user group will be if Winter Tax and Quarterly Debt Service capital charges continue.)

As a final point of this E-mail, can you provide the current assessment roll or other such document of all current properties on the sewer system, grouped by sub-districts and streets and providing the address, owner’s name, property acreage, number of REUs involved per property and cost per REU for that property – or if REUs are not being used to reflect new user charges, then the amount being charged each of these new users? This should be helpful for Utilities Committee determination of new user REU or other fees – by comparing to existing ones.

Thanks.
Doug

P.S. Happy St. Pats day – enjoy a brew or two.

Memo

FROM: Township Manager
TO: Utilities Committee
DATE: April 22, 2016
RE: Sewer System 2016 Activity

There has been significant activity regarding the sewer system since the January 2016 Utilities Committee meeting. In light of that activity I want to highlight a few items:

1. Township Board Special Meeting on March 3, 2016: As you know, the Township Board held a special meeting during which staff made a presentation regarding the sewer system. The purpose of the meeting was to provide historical information to address the questions that citizens had raised during various Board meetings and the January Utilities Committee meeting. The presentation, supporting material, minutes and Q&A have been posted to the Township Website for future reference.
2. Follow up discussion to the March 3, 2016 Presentation:
 - a. March 21 – the Board discussed the presentation (minute excerpt attached) and provided staff with feedback regarding the “over sizing of the system”
 - b. April 18 – Staff presented the attached agenda report in which a scenario was depicted whereby the Township General Fund would purchase the balance of REU’s due to over sizing the system. The General Fund would be reimbursed with each new REU that is sold. The Debt Service Charge could be eliminated or reduced depending on a change in policy.
3. May 16, 2016 Township Board Meeting on May 16, 2016 – The Township Board directed staff (on 4/18) to work with our consultants toward the creation of a draft policy which would be presented on this date for further action.

QUARTERLY SANITARY SEWER FINANCIAL REPORT – Third Quarter, FY' 2015-2016

Ken Palka, Pfeffer, Hanniford, & Palka presented the Quarterly Report. The report was received and filed.

APPROVAL OF CONCEPTUAL PLANNED UNIT DEVELOPMENT PLAN – Deerfield Preserve

Kelly Mathews, Planner, provided an overview of the project including site layout, number of lots and conceptual plan for both the residential and commercial sites explaining that the Livingston Classical Academy will be cited on the commercial side.

Marshall Blau and Dave Whittaker, Applicants, provided an overview of the project including there will be 72 homes instead of 78 and a school and daycare instead of a shopping center. The project will be 2-phased; the school will go in immediately and the residential will be later. There will be picnic tables and benches in the open spaces. The charter school will stagger pick-up and drop-off times in order to address traffic circulation concerns.

Jacob Rushlow, OHM Engineer, provided an overview of the project including cul-de-sacs, storm water drainage, and traffic study concerns.

Discussion included need for compliant and accurate traffic study, internal circulation, sidewalks within the development, proposed perimeter pathway not included in the adopted Pathway Plan, benches and woodchip path, current sanitary sewer ordinance requirements, pick up and drop off times; the proposed Planned Development Agreement, length of charter school approval, single ownership/entity throughout the duration of the entire project; preliminary and final site plan approval process; concerns for safety and traffic; and expanding the width of Road Right-of-Way (60 ft. to 66 ft.) which is consistent with the ordinance. Also confirmed with the Attorney and Applicant that there was a joint trash collection provision in the master deed and a provision to hook up to water should it become available.

P. Michel moved and A. Bollin seconded to accept the Planning Commission's recommendation to approve the conceptual Planned Unit Development Plan upon meeting the following conditions: 1) Plan requires full unconditional approval of Brighton Area Fire Authority regarding internal circulation plan completed within the Conceptual Plan Phase; 2a) Complete compliant Traffic Impact Study based on Township Ordinances and Livingston County Road Commission (LCRC) and with the Engineer's approval; 2b) Internal circulation plan of the school and daycare completed to the satisfaction of OHM which avoids back-up to public roads; 3) Planned Development Agreement regarding sewer must fully conform to Township ordinances and policies; 4) Ownership/control to conform to Township ordinances; and 5) Right-of-way width will be 66 ft. to accommodate utilities.

Ayes: P. Michel, A. Bollin, D. Hawk, M. Slaton, L. Weaire, T. Murphy

Nays: None

Motion carried.

Recessed at 9:15 P.M.

Returned at 9:25 P.M.

SEWER SYSTEM SPECIAL MEETING FOLLOW-UP – Discussion

Manager Vick provided an overview of the special meeting. Discussion included the previous action plan; oversizing of the system to accommodate future growth and how much did that cost; it has already been calculated at 500 REU's; oversizing was a policy decision – should it be considered an advance from the Township General Fund; the growth was not experienced; 2,500 REU's = 240 vs. 260 gallons/REU; MDEQ Permit is based on the Design Basis Report; oversizing did attribute to some economies of scale; can a portion of the plant be shut down to gain a greater efficiency (it was explained that this was not an option because of need to have a back-up for emergencies); public meeting; two tier rates; can the township purchase remaining REU's; January 11, 2016 Utilities Committee Minutes; items in the UC minutes had not been formally presented to the Board because of the public meeting; can the Township invest in infrastructure (i.e. E. Grand River); BTBT joint meeting with Utilities Committee in the future to review administrative policy and role of Utilities Committee; explanation of annual assessment rolls which contain the outstanding assessments only; findings relative to the eight properties on Pine Ranch not hooked-up to system – it was confirmed by

Infrastructure Alternatives that they are not being billed through Utility Billing (there are no grinders, no sewer, and no illegal taps per the Manager but during the inspection on these properties it was discovered that there are two manholes in front of one property – township needs to gain access to private property to further review situation); plan to get more users; revisiting the maps as stated at the March 3rd meeting; posting questions from meeting on the website.

ADOPTION OF RESOLUTION – FY' 2016-17 General Appropriations

A. Bollin moved and D. Hawk seconded to **adopt Resolution No. 16-003, FY' 2016-17 General Appropriations, with noted clerical revisions and noting that the various appendices tables will be added to the adopted budget.**

Ayes: L. Weaire, D. Hawk, A. Bollin, P. Michel, T. Murphy

Nays: M. Slaton

Motion carried.

ADOPTION OF RESOLUTIONS FOR WAGES/SALARIES – FY' 2016-17

Manager Vick summarized the resolutions and noted that there are no wage increases for elected officials.

SUPERVISOR

D. Hawk moved and A. Bollin seconded to **adopt Resolution No. 16-004 setting the wages and benefits for the Township Supervisor for FY' 2016-17.**

Ayes: P. Michel, A. Bollin, D. Hawk, M. Slaton, L. Weaire

Nays: T. Murphy

Motion carried.

CLERK

P. Michel moved and L. Weaire seconded to **adopt Resolution No. 16-005 setting the wages and benefits for the Township Clerk for FY' 2016-17.**

Ayes: L. Weaire, M. Slaton, D. Hawk, A. Bollin, P. Michel, T. Murphy

Nays: None

Motion carried.

TREASURER

L. Weaire moved and P. Michel seconded to **adopt Resolution No. 16-006 setting the wages and benefits for the Township Treasurer for FY' 2016-17.**

Ayes: P. Michel, A. Bollin, D. Hawk, M. Slaton, L. Weaire, T. Murphy

Nays: None

Motion carried.

TRUSTEES

T. Murphy moved and D. Hawk seconded to **adopt Resolution No. 16-007 setting the wages and benefits for the Township Trustees for FY' 2016-17.**

Ayes: P. Michel, L. Weaire, D. Hawk, M. Slaton, A. Bollin, T. Murphy

Nays: None

Motion carried.

MANAGER

P. Michel moved and D. Hawk seconded **and to adopt Resolution No. 16-008 setting the wages and benefits for the Township Manager for FY' 2016-17.**

Ayes: L. Weaire, M. Slaton, D. Hawk, A. Bollin, P. Michel, T. Murphy

Nays: None

Motion carried.

ADOPTION OF RESOLUTION FOR DEFINED CONTRIBUTION PLAN DOCUMENT RESTATEMENT

Manager Vick provided overview and stated there is no deviation from the previous plan. Discussion included

Page 4 of 7

Charter Township of Brighton – BTBT

Minutes – March 21, 2016

Approved – April 18, 2016

AGENDA NOTES

MEETING DATE: April 18, 2016

PERSON PLACING ITEM ON AGENDA: Township Manager

AGENDA TOPIC: Sewer System Special Meeting – Follow-up

EXPLANATION OF TOPIC:

At the March 21st Brighton Township Board meeting The Township Manager provided a synopsis of the March 3rd sanitary sewer system special meeting. Based upon the presentation, discussion focused upon the oversizing of the constructed sewer system which was based upon unmaterialized growth.

As depicted in the attachment, the sewer system was designed to accommodate 2,700 REU and the original assessment roll of June 1, 2000 accounted for 1,756 REU. This created a balance (or oversizing) of 944 REU. Of the 944 REU there have been 471 REU sold through December 31, 2015. The difference, 473 REU, represent the “balance” of the oversizing. The cost of those 473 REU equals \$4,852,980.

It has been suggested, that the oversizing of the sewer system was a policy decision of the Township Board back in 2000 and therefore the cost of that oversizing should be borne by the Township at-large. Countering that perspective is the argument that the system, since inception, has operated as an Enterprise Fund whereby the users of the system fund the system in its entirety.

A possible solution to these opposing perspectives would be for the Township to purchase the 473 REU, which represents the oversizing balance, at a cost of \$4,852,980. The payment of these REU would come from the Township General Fund - Fund Balance. As the Township sells REU's to new users of the system, their respective payment, currently \$10,260, would reimburse the Township General Fund - Fund Balance. The Township General Fund – Fund balance would be fully reimbursed upon the sale of the 473 REU.

If this scenario came to fruition, the Township could make changes to the quarterly debt service charge which is currently \$80.50 per REU and generates approximately \$700,000 per year. It has been suggested that any adjustment to the Debt Service Charge should take into account the amount that an original user has paid since inception (approximately \$4,400) in relation to what a new user of the system would pay moving forward. Along those lines, the Debt Service Charge could be eliminated for those original system users that have paid approximately \$4,400 but remain in place for the 471 “newer” users until they have paid the \$4,400. Future users would be expected to pay \$4,400 as well.

Prior to taking any formal action the Board should incorporate all of the potential changes to our practices as part of the #800 series in our Administrative Policies.

SUPPORTING DOCUMENTS:

- System Oversize REU Calculation Sheet – dated April 12, 2016
- TetraTech / MPS Fax dated October 2, 2003

SUGGESTED MOTION: Motion by _____, supported by _____ that the Township Board having discussed the scenario of purchasing the excess sewer system REU capacity via General Fund – Fund Balance dollars and the modification of the quarterly Debt Service charge directs the Manager to work with the Township Attorney to incorporate the suggested changes in our procedures towards the creation of a new or amended Administrative Policy.

ROLL CALL VOTE REQUIRED? No

SYSTEM OVERSIZE
REU CALCULATION SHEET
APRIL 12, 2016

System Design in # of REU	2,700
Assessment Roll # of REU * 6/1/2000	<u>1,756</u>
Township upsize	944
Purchased since Assessment Roll*	<u>471</u>
Upsize balance	473
Cost per REU	<u>\$ 10,260</u>
Township upsize cost	\$ 4,852,980

* PHP report dated December 31, 2015



TETRA TECH MPS

123 Brighton Lake Road, Suite 203, Brighton, MI 48116
 Telephone: 810.220.2112
 Fax: 810.220.0094

FAX

Date: October 2, 2003

Number of pages (including this page): 1

(If you do not receive all pages, call (810) 220-2112)

To: Ken Palka
 Company: Pfeffer Hanniford Palka
 Fax Number: 810.229.5578
 From: Joe Moore
 Phone Number: (810) 225.8420 Fax Number: (810) 220-0094
 Subject: Brighton Twp - WWTP Costs

REMARKS.

Urgent For your review Reply ASAP Please comment

Brighton Twp built a 650,000 gallon per day (average flow) treatment plant that will provide service up to 2,700 residential equivalent units (REUs). Marcia asked for the costs for a similar WWTP that will serve only 2,000 REUs (480,000 gallons per day). The following is a comparison of costs for a 2,000 REU facility and a 2,700 REU facility. The actual construction costs were used for the 2,700 REU facility. The unit (or proportional) cost from the existing WWTP construction was used to develop construction costs for the 2,000 REU facility. Each facility would roughly have the same planning, engineering, survey, legal, administration costs. The land purchase cost for the WWTP property would be the same regardless of WWTP size. Also, the service building, WWTP outfall and site improvements (tree clearing, road, grading, parking) will be the same for both WWTP sizes.

	<u>2,700 REU WWTP</u>	<u>2,000 REU WWTP</u>
	<u>650,000 gpd</u>	<u>480,000 gpd</u>
Construction Cost	\$7,182,000	\$5,300,000
Planning / Engineering / Survey Cost	\$1,064,000	\$1,064,000
Legal, Financing, Admin. Cost	\$350,000	\$350,000
Land Purchase Cost	<u>\$1,012,000</u>	<u>\$1,012,000</u>
Total Cost =	\$9,608,000	\$7,726,000
 Cost per REU =	 \$3,558 / REU	 \$3,863 / REU

Call me with any questions.

copy: Marcia Strong, Brighton Township

**PROPOSED
MINUTES**

**CHARTER TOWNSHIP OF BRIGHTON
UTILITIES COMMITTEE
1580 S Old US-23
BRIGHTON, MI 48114**

**JANUARY 11, 2016
REGULAR MEETING
7:00 P.M.
(810) 229.0550**

M. Sweatman called the meeting to order at 7:00 P.M.

Present: M. Sweatman, F. Grapentien, C. Moran, D. Terns, D Taylor
Absent: M. Slaton

Also Present: B. Vick

EXCERPT

COMMITTEE MEMBER COMMENTS

- D. Taylor – asked what the protocol for adding discussion topics to the Utilities Committee agenda. D. Taylor spoke to the handout which he provided to the Committee earlier in the meeting. The handout was his calculation of the running total of quarterly billing and SAD payments. D. Taylor suggested that the Committee take action on recommending to the Township Board the immediate discontinuation of the quarterly debt service charge prior to the issuance of the next quarterly bill. Further, that there is adequate unrestricted funds in the general fund which could be used to pay existing sewer debt. Manager Vick advised the committee that the typical protocol would be for committee members to provide material to the Manager prior to the distribution of the meeting packet or prior to the meeting with the committee deciding whether to place the late addition as a business topic during the “setting of the agenda”. Otherwise the committee can also entertain calling for a special meeting. Manager Vick requested that any further consideration on deviating from the existing financial payoff scenario be re-projected through the assistance of the Township consultant.

Meeting Wizard

online scheduling solutions

[Home](#) [Logout](#) [About MW](#) [FAQ](#) [Resources](#) [Contact Us](#)

You are currently logged in as Brian Vick.

[Current Users >](#) [New Meeting](#) [View Meetings](#) [Express](#) [My Options](#) [Address Book](#) [Import](#)

You have already confirmed this event.

Participant Responses

Participants	Individual Options	Wed Feb 17, 16 7:00 PM	Wed Mar 9, 16 7:00 PM	Wed Mar 16, 16 7:00 PM	Wed Mar 23, 16 7:00 PM	Wed Apr 6, 16 7:00 PM	Wed Apr 13, 16 7:00 PM	Wed Apr 20, 16 7:00 PM	Wed Apr 27, 16 7:00 PM CONFIRMED
chasmoran3@gmail.com old message	view	available	available	available	available	available	available	available	available
forapentien@comcast.net old message	view	unavailable	available	unavailable	available	available	available	available	available
fondalk@hotmail.com old message	view	available	available	available	unavailable	unavailable	unavailable	unavailable	available
kpalka@phpcpa.com old message	view	unavailable	available	unavailable	available	available	available	unavailable	available
mbsweatman@comcast.net	view	unavailable	unavailable	unavailable	available	available	unavailable	unavailable	available
taysag3@sbcglobal.net	view	not yet responded	not yet responded	not yet responded	not yet responded	not yet responded	not yet responded	not yet responded	not yet responded
trusteemike@brightontwp.com	view	available	available	available	available	available	available	available	available
	Total Available:	3	5	3	5	5	4	3	6

Other options:

- [Invite more people.](#)
- [Change confirmed time.](#)
- [Automatic reminder settings.](#)
- [Change what participants can view.](#)
- [Edit other details of this meeting event.](#)
- [E-mail everyone on the list.](#)
- [Send a reminder to everyone who has not yet responded.](#)

Event Details

[Save to Outlook Calendar](#) 

Organizer: Brian Vick
Subject: Utilities Committee Special Meeting
Type/Format: face-to-face
Start Date/Time: Wednesday April 27, 2016 7:00 PM Eastern Time
Duration: approximately 2 hours
Location: Fire Station #32 (Old US 23)
Update: You requested email notification after all responses are received.
Response Option: Participants were asked to RSVP.

Message from Organizer

-- previous message -- Please select all dates that you are available