

## MINUTES

**CHARTER TOWNSHIP OF BRIGHTON  
BOARD OF TRUSTEES  
4363 BUNO ROAD  
BRIGHTON, MI 48114**

**JANUARY 18, 2016  
REGULAR MEETING  
7:00 P.M.  
(810) 229.0560**

Supervisor T. Murphy called the meeting to order at 7:02 P.M. The Pledge of Allegiance was said.  
Present. T. Murphy, Supervisor; A. Bollin, Clerk; D. Hawk, Treasurer; C. Doughty, Trustee; P. Michel, Trustee;  
M. Slaton, Trustee; L. Weaire, Trustee  
Absent: None.

## CALL TO THE PUBLIC

Frank Grapentien, 3148 Hideaway Beach – Sandila Estates was recently approved without sewers – should have sewers; General Fund should pay for the transmission; sewers give flexibility and preserve natural features.

Sam Raguso, 8425 Hilton Road – Polled the audience to see support of monies being spent on sewers instead of sidewalks of which many raised their hands; referenced April 2013 letter enforcing the 200' rule; why can't we get a complete assessment roll; status of FAQ's from 1/4/2016 meeting; Sandila Estates approval; petition with 200 signatures – why has it been denied; suggested freeze on expenditures.

Barb Potocki, 8420 Woodland Shore Drive – Township has \$43 million sewer bond; paid \$19,000 for REU; everyone should be paying the same amount - No discounts for new users. Looking for list of REU's with the total amount each has paid; why was there a 1999 memo requesting permission to burn records but no record of what was burned? Why were some subdivisions allowed out of sewer?

Jim Sarna, 8266 Woodland Shore Drive – Distributed 2 handouts; referenced original sewer costs and stated he thought original users have over paid.

Randall Lucas, 8434 Carol Drive – Thanked Homeowners Association; allotted his minutes to Jim Sarna.

Jim Sarna, 8266 Woodland Shore Drive – BTBT initiated petitions in 1999; spoke with Drain Commissioner regarding certain chapters in the Drain Code; referenced comments made at the January 11, 2016 Utilities Committee meeting.

Bob Potocki, 8420 Woodland Shore Drive – Recognized Commissioner Gary Childs; 5<sup>th</sup> meeting in 15 days – when is the Board going to respond; assessment roll has not been updated since 2000; Utilities Committee meeting minutes from 1997-2000 cannot be found; what happened to \$600,000 savings discussed at 1/11/2016 Utilities Committee meeting by D. Terns and K. Palka?

Robert Meyers, 2680 Tim Ave – Allotted his minutes to Bob Potocki.

Bob Potocki, 8420 Woodland Shore Drive – Association elected J. Sarna as president of their community; status of questions previously asked on process for wage increases. Suggested bringing in an outside auditor, begin refund process, freeze Township cash, release SAD roll, consider regional approach and referenced a handout on sewers.

Mike Palmer, 10382 East Grand River Ave – Echoed previous comments; this is an election cycle; put taxpayer dollars towards sewers and spend money wisely; too many discounts being given on sewers; requested refund; taxpayers should be able to use the public buildings; referenced call for resignation and pay increases.

Keith Couch, 2916 Cady Drive – Allotted his minutes to Mike Palmer.

Mike Palmer, 10382 East Grand River Ave – Referenced 1/6/2016 letter from Manager Vick – Administrative Policy No. 209; sewer needs solution - regionalize the system, freeze spending, no rate increases.

Robert Stone, 8305 Donna Lou – Sewer system is a farce - users have overpaid; only half of the lakes are included. Board works for the public - upcoming election cycle. Public has a right to speak - we need solutions.

Cheryl Guard, 8334 Woodland Shore Drive – Allotted her minutes to Jim Sarna.

Jim Sarna, 8266 Woodland Shore Drive – Clark Lake dropped out of sewer system; original numbers did not add up. Referenced County Health Department letter dated 1999; why did Ravines get exempt? Why didn't Dan Boss have to pay?

Skip Starbird, 8121 West Grand River Ave – Allotted his minutes to Mike Palmer.

Mike Palmer, 10382 East Grand River Ave – Referenced agenda items – forget police officers and put dollars towards the sewer; forget discounts for Deerfield Preserves Site Plan; don't spend money on sidewalks; fix the major problems; regionalize the sewer system.

Stan Lawrence, 3373 Oak Knoll Drive – People got your attention over their concerns for high sewer costs. Users did not ask for this large system – township needs to find a way to fund it.

Debbie Leicht, 3487 Hilton Estates Drive – Fought sewers initially but was forced on to the system; others were not; Township needs to find a way to fund the sewer.

William Bailey - Allotted his minutes to Mike Palmer.

Mike Palmer, 10382 East Grand River Ave – Referenced Sanitary Sewer ordinance changes regarding the 200' rule.

#### AGENDA

Discussion included clarification on payments to Livingston County Road Commission, ongoing service agreement, and clerical correction in January 4, 2016 meeting minutes.

A. Bollin moved and P. Michel seconded **to adopt the consent agenda with conditional approval for Check #'s 28105, 28124, 28129, 28149 based on receipt of communication and approval of the January 18, 2016 payables by BTBT and Check # 28138 upon clarification and correction and upon adding Agenda Item F.12. Discussion – Public Meeting and Status Update on Response to Sewer FAQ's.**

Motion carried.

**PUBLIC HEARING AND ADOPTION OF RESOLUTION CONFIRMING THE ASSESSMENT ROLL – White Tail Run Road Maintenance SAD No. S-I-01-2016**  
Manager Vick provided an overview of the SAD process.

#### **Public Hearing opened at 8:13 P.M.**

Mike Palmer, 10382 East Grand River – Objects to SAD; Livingston County Road Commission has full responsibility for local roads.

No written comments were received.

#### **Public Hearing closed at 8:15 P.M.**

Supervisor Murphy clarified White Tail Run to be a private road. Discussion included assessments based on a per parcel vs. per property owner, residents initiated the SAD, purpose was for road maintenance and whether property owners have option to pay off up front for the five (5) year period: staff to follow up on the prepayment option.

L. Weaire moved and D. Hawk seconded to **adopt Resolution No. 16-001 approving the White Tail Run Road Maintenance Special Assessment District, confirming the special assessment roll for the White Tail Run Road Maintenance Special Assessment District, SAD No. S-I-01-2016.**

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

Nays: None.

Motion carried.

FIRST READING – Proposed Revision/Amendment to General Code of Ordinances, Chapter 15, Soil Removal  
K. Mathews, Township Planner, provided background information including currently allowed materials. Discussion included language clarification, resident concerns prompting amendment, new gravel pits filing a letter of credit, removing “other materials” from ordinance, who reclaims the site?, fill permit monitoring, and requirement for filing of end use plans.

C. Doughty moved and P. Michel seconded to **schedule the public hearing/second (2nd) reading for the proposed revisions to Chapter 15, Soil Removal, of the Code of Ordinances including the changes as discussed.**

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

Nays: None.

Motion carried.

APPROVAL OF PRELIMINARY RESIDENTIAL SITE CONDOMINIUM SITE PLAN - Deerfield Preserve  
K. Mathews, Township Planner, provided summary and historical background of the Deerfield Preserve Mixed Use Planned Development. Marshall Blau, Wil-Pro Development Company LLC, Applicant, presented an overview of the Deerfield Preserve residential development. Discussion included lot sizes, residential acreage, open space, meets R-2 district requirements, confirmation that the project would be under a single ownership as required, compromised drain per the LCDC letter, gravity sewer, updated studies, traffic studies, wetlands, expiration dates and zoning reversion, and the previous Planned Development Agreement. Jacob Rushlow, OHM Engineer, spoke briefly on traffic study and gravity sewer vs. pressure sewer and the recent study. Clarification was made that no work can begin until the Planned Development Agreement is approved.

L. Weaire moved and D. Hawk seconded to **accept the recommendation of the Planning Commission and approve the Preliminary Residential Site Condominium Site Plan for Deerfield Preserve conditioned upon an executed PDA agreement.**

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

Nays: C. Doughty, A. Bollin

Motion carried.

DISCUSSION OF PLANNED DEVELOPMENT AGREEMENT – Deerfield Preserve

Manager Vick provided background on the expired Planned Development Agreement. Jacob Rushlow, OHM Engineer, reviewed his letter dated January 5, 2016 and summarized the design of the pump station and the cost effectiveness based on size and types of pumps. Discussion included location of pump station, types of pumps, size of the main, and meeting current ordinance requirements specifically quarterly charges for reserved REU’s per the Sanitary Sewer Ordinance. Modifications discussed included adding an easement for the pump station and for the developer to comply with all the terms of the current Sanitary Sewer Ordinance.

P. Michel moved and T. Murphy seconded **that the suggested modifications including language regarding a pump station easement and adherence to all Ordinances including the Sanitary Sewer Ordinance be made to the draft PDA and submitted to Wil-Pro for consideration.**

Motion carried.

APPOINTMENT - Planning Commission Liaison to the ZBA

P. Michel moved and M. Slaton seconded to **accept the recommendation of the Planning Commission and appoint Ron Doughty as the Planning Commission’s liaison to the Zoning Board of Appeals for a term expiring December 31, 2016.**

Motion carried.

ADOPTION OF BUDGET AMENDMENT # 6, Fiscal Year 2015-16

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Manager Vick provided background of past discussions on staffing and additional resources for FOIA compliance and processing. Discussion included confirmation that the Clerk would continue to serve as the FOIA Coordinator and additional staff resources are not available through current staffing.

A. Bollin moved and C. Doughty seconded **to adopt Resolution No. 16-002, Budget Amendment # 6, FY' 2015-16, approving the transfer of funds within the Clerk's Department.**

Ayes: L. Weaire, C. Doughty, D. Hawk, A. Bollin, T. Murphy

Nays: M. Slaton, P. Michel

Motion carried.

Recessed at 10:30 P.M.

Returned at 10:40 P.M.

#### REVIEW AND ADOPTION OF PROPOSED CHANGES – Administrative Policy # 503, Building Use Policy, and Application Form

Manager summarized the proposed amendments to the current Building Use Policy and Application Form. Discussion included Township facilities, kitchen use, the application process vs. administrative process, use of equipment, currently no charge, building availability, township staff v. BAFA staff should be responsible for opening/closing of all township buildings, and suggestions for broadening the language to read “or designee” where applicable, and revising to read that four alternative dates will be identified with the adoption of the annual meeting schedule. It was clarified that Township facilities would include the Township Hall small conference room, board room and the room at the Community Center located at Fire Station No. 32 on Old US 23. Consensus was the Manager will revise the proposed policy based on the discussion and present for consideration.

#### APPROVAL OF HARDSHIP DEFERRALS - Sanitary Sewer Special Assessments

Manager Vick provided background of the Sanitary Sewer Special Assessment Hardship Deferrals.

L. Weaire moved and A. Bollin seconded **to approve the hardship deferral of the sanitary sewer special assessment for Parcel ID No's. 4712-18-303-090 and 4712-19-201-061 each in the amount of \$806.93.**

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

Nays: None.

Motion carried.

#### DISCUSSION AND DIRECTION ON DRAFT AGREEMENT – Law Enforcement Services/Public Safety Presence

Manager Vick summarized the recent ALICE training attended by Township Department Heads, other community protocols, and presented a draft agreement that had been reviewed by the Township Attorney and insurance carrier. Discussion included description of services including meeting attendance, security, and status of other conversations to pursue joint police services. Discussion included alternative measures that could be taken including improved lighting (parking lots) and additional staff/board training. Consensus was to continue this discussion at a budget meeting.

#### ACCEPTANCE OF PROPOSALS – Building Cleaning and General Maintenance Services

Z. Dyba, Assistant to the Manager, summarized the Building Cleaning and General Maintenance Services proposals and reviewed the bid process including the posting through MITN (Michigan Inter-governmental Trading Network). Discussion included the addition of general maintenance to the proposal, removing Fire Station No. 32 from the bid (BAFA requested to contract cleaning services separately), references, were the company/individuals bonded (to be verified), need for quality control monitoring, posting requirements, entire building, assigned employees for cleaning v. maintenance, and staff recommendation to accept the proposal from Angel Cleaning Services. Additional discussion regarding what general maintenance tasks would be covered, clarification of the hourly charge per January 11, 2016 email and that a contract would be presented for approval at the next meeting once the proposal is accepted.

P. Michel moved and D. Hawk seconded **to accept the proposal for Building Cleaning at a rate of \$624 per month and General Maintenance Services at a rate of \$21 per hour from Angel Cleaning Services.**

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

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Nays: None.  
Motion carried.

APPROVAL OF AGREEMENTS – 2016 Summer School Tax Collection for LESA, Howell Public Schools, Hartland Consolidated Schools and Brighton Area Schools  
Treasurer Hawk provided overview including that the agreements are consistent with past years and that the Attorney had reviewed them.

L. Weaire moved and P. Michel seconded **to authorize the Clerk and Supervisor to sign the agreements for 2016 Summer Tax collection with the school districts, including LESA, Howell Public Schools, Hartland Consolidated Schools and Brighton Area Schools.**

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

Nays: M. Slaton

Motion carried.

#### DISCUSSION – PUBLIC MEETING AND STATUS UPDATE ON RESPONSE TO SEWER FAQ'S

Manager Vick provided overview of recent Utilities Committee and update on efforts to develop the response to the public's questions and frequently asked questions including review of records; third party review not taking place right now; some answers are ready but his approach is to provide a wholesale response which will take some additional time. Drain Commissioner is providing a historical look back and this information will be incorporated into the response. Efforts also include current fact finding and consolidating the information noting that some questions may not have answers if they were not documented. Discussion included process for rolling out the information including a joint meeting with the Utilities Committee and/or special meeting to present the responses to the general public. Also discussed if there was an opportunity to meet with former managers, discussion by Utilities Committee to eliminate the debt service charge, Utilities Committee has requested a special meeting, request for improved communication through the manager's office to residents and township board as the responses are put together, and reference to previous action plan. Manager's goal is to have a wholesale response that is accurate; expectation is that the FAQ responses will be completed within the next few weeks; consensus is accuracy is key and that a special meeting will be scheduled in late February to respond to the questions.

#### REPORTS AND CORRESPONDENCE

##### REPORTS

Brighton Area Fire Authority Regular Meeting Minutes – November 12, 2015

Brighton Area Fire Authority Special Meeting Minutes – December 2, 2015

Livingston Community Water Authority Regular Meeting Minutes – November 18, 2015

L. Weaire – BAFA update including approval of August 2016 millage increase language, upcoming awards ceremony and annual Soup Out.

C. Doughty – SELCRA audit completed; SELCRA plans to conduct business as usual until the end of JUA; Upcoming meeting on JUA; continued interest in skate park; basketball program a success with parents requesting another season be established; baseball enrollment is steady.

M. Slaton – Thanked K. Mathews, Township Planner, for recent Planning and Zoning seminar.

T. Murphy – Accepted an invitation to Legacy Sports Complex to discuss potential recreation opportunities.

#### DEPARTMENTS

Planning Commission 2015 Annual Report

Brighton Area Fire Authority Firestat Report – December 2015

Brighton Area Fire Authority Firestat Annual Report – 2015

#### MANAGER

None.

#### CALL TO THE PUBLIC

Bob Potocki, 8420 Woodland Shore Drive – Distributed and read aloud a handout previously distributed; assessment roll of \$43 million; charged \$19,700 per user (2300 users); charge everyone the same; discounts are illegal.

Mike Palmer, 10382 East Grand River Ave – Michigan State Police are next door; opposes contract; met with Manager Vick on November 4, 2015 and is waiting for responses to questions; solution is to pay the people back.

Sam Raguso, 8425 Hilton Road – Facts have been provided; fix the problems; people have the determination to vote BTBT out of office this election cycle.

Jim Sarna, 8266 Woodland Shore Drive – Spoke on Dan Boss development: single ownership required per ordinance. Archives and history shows tax bills at \$12,400; referenced handouts from first Call to the Public.

Barb Potocki, 8420 Woodland Shore Drive – People in the back struggle to hear the speakers: fix microphones. Utilities Committee doesn't meet often, concerned that one (1) member missed meeting. MSP next door, Township doesn't need to pay Livingston County Sheriff's Department. Why is the White Tail Run SAD having no interest and other SAD's have to pay interest?

T. Murphy clarified that the White Tail Run SAD is not being loaned money from the Township - no interest required.

#### ADJOURNMENT

P. Michel moved and D. Hawk seconded to adjourn. Motion carried.

The meeting adjourned at 12:42 A.M. on January 19, 2016.

Respectfully submitted,

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Ann M. Bollin, CMC, CMMC, Clerk

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Thomas E. Murphy, Supervisor