

MINUTES

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

**JUNE 4, 2018
REGULAR WORK SESSION MEETING
6:30 P.M.
(810) 229.0560**

Supervisor P. Michel called the meeting to order at 6:30 P.M. The Pledge of Allegiance was said.

Present: P. Michel, Supervisor; A. Bollin, Clerk; R. Drouillard, Treasurer; M. Slaton, Trustee; S. Theis, Trustee; L. Weaire, Trustee
Absent: S. Combs, Trustee

CALL TO THE PUBLIC

Leo Hanifin, Daniel Drive – Introduced himself as Chairperson of Livingston County Transportation Coalition; kick-off last Friday on study; offered to make presentation to Township Board regarding transportation in Livingston County; acknowledged receipt of Township's comments on the Plan. Has presented information on transportation needs to five townships and stated millennials wanted transportation options; aging in place is important to seniors. Township roads are not good surfaces for bicycles.

Bob Potocki, Woodland Shore Drive – Distributed handout and referenced the groundwater. Commented on proposed Sanitary Sewer Policies stating the Township Board does not own system and does not have authority to adopt policies or set rates.

Mike Palmer, East Grand River – Agrees with first speaker on roads, existing sidewalks have breaks and do not connect, increases liability. Objected to the Sewer Admin Policies. Stated he is a former board member and current customer of FIB and is requesting a public hearing on FIB discussion of Articles of Incorporation.

Barb Potocki, Woodland Shore Drive – Allotted 3 minutes to Mike Palmer.

Mike Palmer, East Grand River – Researched Admin Policies, Manager has changed 14 policies. Request FIB and Utilities committee be involved in policy changes; requests transparency from Township.

AGENDA

L. Weaire moved and S. Theis seconded **to approve the agenda upon adding Item H.a., Closed Executive Session for the purpose of discussing litigation, specifically Shoner and Potocki et al v. Brighton Township.**

Motion carried.

BILLS

A. Bollin moved and R. Drouillard seconded **to approve the June 4, 2018 bills/payables as presented.**

Motion carried.

AUTHORIZATION TO PURCHASE – Computer and Server Replacements

Manager Vick summarized the Board's previous discussion including the additional information had been provided and the recommendation was updated to reflect staff's findings. Discussion continued including was IT Right contacted regarding the hourly rate as requested at the last meeting which was inconsistent with the current blanket services contract. Assistant to the Manager was not present at the meeting to respond.

A. Bollin moved and P. Michel seconded **to accept the Manager's recommendation and authorize the purchase of the computer and server equipment replacements based on the quotes as listed: specifically CDW-G quote #JSHK442 dated April 18, 2018; IT Right quote #ITRQ10694 dated February 7, 2018, and IT Right Quote #ITRQ10692 for online server hosting dated January 7, 2018 and that the services related to this project be included at the hourly rate of \$100 per hour based on the current approved contract hourly rate for additional services through IT Right.**

Ayes: L. Weaire, S. Theis, R. Drouillard, A. Bollin, P. Michel

Nays: M. Slaton
Motion carried.

DISCUSSION OF ADMINISTRATIVE POLICIES – Administrative Policy # 807, Funding of Construction, # 811, Sewer Tap Fees, # 816, Sanitary Sewer REU Charge Payment Over Time, # 817, Maximum Amount of Debt Service Charges and Deposit of Debt Service Charges, # 818, Purchase by the General Fund of REUs from the Sewer Fund, # 819, Summary of the Deposits from Quarterly Fees, REU Charges and Special Assessments

Manager Vick provided background information on the proposed changes including they were last presented for consideration and reviewed in 2016. Then the township was presented with the lawsuit (Shoner and Barbara Potocki et al v. Brighton Township) and the review was stalled. Attorney J. Keifer was present and summarized the proposed changes and referenced the timing in relation to the litigation. Discussion included confirmation that the Board was authorized to adopt policies and a public hearing would be held but was not required. Further discussion included reasoning behind eliminating references to bonds in Policies 811 and 816 and the associated interest rates (consensus was to include them for purposes of any future projects and future boards), Policy 817 discussion included attaching the referenced exhibits v. having to search in another document, and request for clarification be added to clearly state what parcels the Debt Service Charge cap and grinder pump credit applied to; what is meant by various references to “all parcels in the district”, and adding language noting that there could be debt service charges in the future for improvements/upgrades/expansion. Timing was discussed and J. Keifer stated that most of the changes should run concurrent with the litigation settlement.

ARTICLES OF INCORPORATION FOR FIB (FONDA ISLAND BRIGGS WATER AUTHORITY) – Review and Joint Discussion between Brighton Township and Green Oak Township Board of Trustees

Supervisor Michel introduced the agenda item and invited the Green Oak Township Board of Trustees to the table.

Supervisor Mark St. Charles, Green Oak Township, called the Green Oak Township Board of Trustees meeting to order at 7:12 P.M. and took roll call.

Green Oak Board of Trustees Members Present: Treasurer Daugherty, Trustee Edry, Trustee Everett, Trustee Rainko, Trustee Tuthill, and Supervisor St. Charles.

Absent: M. Sedlak

Attorney Holly Battersby was also present.

Manager Vick provided an overview of the meeting’s purpose stating the FIB Articles of Incorporation call for the authority to dissolve unless the two Township’s agree to extend it. Attorney J. Harris summarized the options and indicated that this was an opportunity to begin discussions on how best to move forward. Supervisor St. Charles summarized recent discussions by his Board including representation on the FIB board by equal numbers of Green Oak and Brighton Township residents, concerns over the new lead and copper rules, how best to assist FIB moving forward and LCWA is not interested in taking over the Authority but would be able to sell capacity in its system to FIB if needed.

FIB Board representatives Don Terns, C. Williams and M. Sebby were seated at the table and provided an update on their activities and stated they would be surveying their customers to gain input. Discussion continued on financial stability, customer satisfaction, water quality, and possible effect of area fracking. Consensus was that FIB would garner input from their customers and the next step would be to have a joint meeting within the next few months to discuss the future structure of FIB including potential liability to townships, long term financial obligations, regulations and their impact on all entities. Attorney Harris confirmed that the decision on how to proceed lies with the Townships and they do not have liability under the current structure.

Trustee Tuthill moved and Trustee Edry seconded **to adjourn the Green Oak Township Board of Trustees meeting.**

Meeting adjourned at 7:45 PM.

CALL TO THE PUBLIC

Bob Potocki, Woodland Shore Drive – Spoke with Supervisor St. Charles – ground water is no longer contaminated – why is the authority needed. Does not want to buy any sewer; am I being billed for legal defense as a sewer user? Is lawsuit money being charged to me? Single political party, need to appoint people in sewer district to the Utilities Committee.

Mike Palmer, East Grand River – FIB discussion is a good start; Dad got \$13 million check from MDOT; don't want to see it messed up by the boards. Attorney's only think of liability, FIB is a jewel of a system and is a municipality – he sat on the board. June 14 the judge will make a decision. The Board works for the people, putting the cart before the horse.

Kim Barabas, Hideaway Beach – Was present the last time the BTBT reviewed the sewer policies. Admin policies still do not address people like herself. BTBT set precedent when they reimbursed the Rushak's. Disappointed BTBT is forcing constituents to sue the township to get funds back.

CLOSED EXECUTIVE SESSION – Discussion of Trial or Settlement Strategy in Connection with Litigation specifically Dennis Shoner and Barbara Potocki et al v. Brighton Township

A. Bollin moved and R. Drouillard seconded **to go into closed executive session to discuss litigation, specifically Potocki and Shoner et al v. Brighton Township.**

Ayes: L. Weaire, S. Theis, R. Drouillard, A. Bollin, M. Slaton, P. Michel

Nays: None

Motion carried.

The Board went into closed executive session at 7:55 P.M.

The Board returned to open session at 8:45 P.M.

ADJOURNMENT

A. Bollin moved and L. Weaire seconded **to adjourn.** Motion carried.

The meeting adjourned at 8:45 P.M.

Respectfully submitted,

Ann M. Bollin, CMC, CMMC, Clerk

Patrick Michel, Supervisor