

## MINUTES

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

**SEPTEMBER 17, 2018  
REGULAR MEETING  
6:30 P.M.  
(810) 229.0560**

Supervisor 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; S. Combs, Trustee; M. Slaton, Trustee; S. Theis, Trustee; L. Weaire, Trustee

Absent: None.

#### CALL TO THE PUBLIC

Bob Potocki, Woodland Shore Drive – Constitution Day; checks and balances; Admin Policies; Public Act 188; SAD has had price increases; rate increases; subsidizing; due diligence required; obligation to oversee going forward. Requesting updated assessment roll, response to petitions, public hearings, unbiased financial impact analysis and call to fire Brighton Township as administrator of this district.

Mike Palmer, Grand River – Suggested tabling Agenda Item 3 A-F until there is better audio for everyone to hear. Submitted seven (7) cards, requests a response to questions. Manager is allowed to interpret his own policies, elected officials should be the ones making and interpreting policies. Thanked two (2) attorney firms, Head and Kickham & Hanley.

Doug Taylor, Oak Knoll – Hope that the debt service charge for class members is not going to be reinstated in the future. O & M charges, enforcement of 200' rule, impact on revenue, no favoritism for commercial properties.

Jan Black, School Lake – Allotted remaining minutes to Mike Palmer.

Mike Palmer, Grand River – Show some respect. Board works for the people.

#### AGENDA

A. Bollin moved and L. Weaire seconded **to adopt the consent agenda as presented.**

Motion carried.

**PUBLIC HEARING AND ADOPTION OF RESOLUTION APPROVING THE DISTRICT/PREPARATION PUBLIC HEARING AND ADOPTION OF RESOLUTION CONFIRMING THE ASSESSMENT ROLL – Shenandoah and Shenandoah Pond Road Improvement Special Assessment District, SAD No. S-I-02-2018**

Z. Dyba, Assistant to the Manager, summarized the SAD approval process and reviewed the proposed special assessment amount and what it includes, additional 1% on top of the interest rate from the bonds, direct costs are apportioned over the full ten (10) years.

#### **Public Hearing opened at 6:55 P.M.**

Bert Peterson, 10428 Greenbrier – Thanked the Board for their support on SAD. Asking Board to consider helping pay for the cost of the bonding, roughly \$70,000. No buffer beyond the \$56,000, what happens? December tax bill collection will total \$96,000 - what happens to this in the Spring when you sell bonds? Will it lower the cost of the bond? Suggest smoothing out the SAD payment; stated additional 1% interest is unwarranted, Township will be accruing almost \$60,000. Consider a quarter or half percent. Appreciates Boards support.

No written comments were received.

#### **Public Hearing closed at 7:00 P.M.**

Z. Dyba, Assistant to the Manager, clarified the direct costs include publishing and mailing costs, bonding costs, and any other direct costs associated with the establishment of the district divided equally amongst the district. Discussion included Public Act 188, township policy regarding reapportionment and following policies or revisiting them if they need to be revised, request for a written report from staff on all SAD delinquencies for each district established since lifting the moratorium (no objections were raised), and monies collected are deposited into the SAD project account for use by that district only. Clerk Bollin reiterated her objections to the funding mechanism being used for the SAD noting the preference to establish a low interest revolving loan fund to save SAD the costs of bonding.

L. Weaire moved and R. Drouillard seconded to **adopt Resolution No. 18-019 confirming the assessment roll for Shenandoah & Shenandoah Pond Road Improvement Special Assessment District, SAD Number S-I-02-2018, with the first payment due on December 1, 2018.**

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

Nays: A. Bollin

Motion carried.

PUBLIC HEARING AND ADOPTION OF RESOLUTION CONFIRMING THE ASSESSMENT ROLL – Meadowood Road Improvement Special Assessment District, SAD No. S-I-03-2018

Z. Dyba, Assistant to the Manager, provided a brief summary of SAD including the estimated direct costs and estimated construction costs.

**Public Hearing opened at 7:10 P.M.**

Mike Palmer, 10382 East Grand River – Audio is not working in-house, is it working at home? Table item, Township Officials have been muted.

Doug Beilharz, 10593 Hickory Knoll – Thanked Clerk Bollin on Constitution Day for thinking like the Founders thought. Where would costs for mailing be recouped if SAD was denied? Board has special interest to collect costs.

Clerk Bollin noted the following written comments were received and read into the record:

Darlene Mengyan, 10993 S Woodfield Circle, Email dated August 27, 2018 – Requested Township pay for any fees related to the replacement of subdivision roads.

David Schroeder, 10720 Hickory Knoll, Email dated August 26, 2018 – Requested all fees be picked up by the Township.

Rodger Evans, 10617 Hickory Knoll, Email dated August 27, 2018 – Requested that Township assist with fees associated with bonding process.

Sandy Markham, 10581 Hickory Knoll, Email dated August 28, 2018 – Requested Township pay for any fees related to this project.

Dave Francis, 1018 Deerfield Court, Email dated September 1, 2018 – Requested Township pay for any fees related to this paving project.

Michael Serge, 10757 Hickory Knoll, Email dated September 5, 2018 – Requested Township cover bonding costs.

Keith Muir, 10803 N Woodfield Circle, Email dated August 26, 2018 – Requested Township pay for any fees related to this project.

Sandy Elsner, 10867 N Woodfield Circle, Email dated August 26, 2018 – Requested Township pay for any fees related to this project.

Doug Beilharz, 10593 Hickory Knoll, Letter – Is the project for repaving or reconstruction? Residents were deceived by petition language or bid process. Requested Livingston County Road Commission use prudence in executing fiduciary responsibility.

**Public Hearing closed at 7:18 P.M.**

Trustee Theis clarified that the special assessment district would be absorbing the costs for bonding since it is the district that retains the benefit of the project. Explained Township's role is limited. Discussion included the annual reapportionment of delinquent assessment per township policies and the costs for selling bonds.

P. Michel moved and S. Theis seconded **to adopt Resolution No. 18-020 confirming the assessment roll for the Meadowood Road Improvement Special Assessment District, SAD Number S-I-03-2018.**

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

Nays: A. Bollin

Motion carried.

A. Bollin moved and S. Theis seconded **to revise the SAD identifying numbers approved on September 17, 2018 to S-I-01-2018 for Shenandoah & Shenandoah Pond Road Improvement SAD and S-I-02-2018 for Meadowood Road Improvement SAD because the School Lake SAD (previously referred to as S-I-01-2018) is not moving forward and this will allow for improved record retrieval and continuity.**

Motion carried.

**PUBLIC HEARING AND ADOPTION OF ADMINISTRATIVE POLICIES AND AMENDMENTS –**

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

Manager Vick provided a summary of the proposed Administrative Policy changes based on recent sewer litigation and settlement agreement. Jim Kiefer, Attorney, was present. Manager Vick confirmed the public hearing had been noticed and both the notice and the board packet on the website contained the pertinent information. J. Kiefer provided an overview of the policies, the settlement agreement and the appeal period and summarized the policy changes and provided clarification on the footnotes.

**Public Hearing opened at 7:39 P.M.**

Jan Black, 2941 School Lake – Requested clarification on the credit of \$3,800 in Policy # 807.

Barb Potocki, 8420 Woodland Shore Drive – Public Hearing was posted at 4:57 P.M. on Thursday, tried to pull packet up, wasn't loading, took 20 minutes.

Doug Taylor, 3319 Oak Knoll – Distributed handout. Comments on 200' rule, lost revenue. Future purchase of REU's means less money for sewer system. Sewer System has been built under the Drain Code for public health; Township needs to absorb some of the costs. Drain Code states if it is for public health then partial funding should be coming from the Township General Fund.

Ailsa Morozow, 2690 Shelley Ave – How do the residents get notices? Finds a lot of things done with sewer seem secretive. Doesn't receive a call back, feels like sewer owners are slighted. Is the 200' a state law? Sewer is positive for the township.

Mike Palmer, 10382 E Grand River – Suggest Board table items due to no audio. Nothing has been done to compel hook ups.

**Public Hearing closed at 7:52 P.M.**

Manager Vick indicated the Utilities Committee reviewed some of the policy amendments prior to the initiation of the lawsuit and noted that the new policies were a result of the litigation settlement. Discussion included need for clarification on some of the language, verification by staff that the definitions are consistent, sewer tap fees, the flexibility of payment over time, need policy for payment over time for water REU's, incorporating policy numbers # 817, # 818, and # 819 into the Fiscal Analysis, and were proposed policies checked against ordinance for inconsistencies.

A. Bollin moved and R. Drouillard seconded **to amend Administrative Policies # 807, # 811, # 816 and adopt Administrative Policies # 817, # 818, # 819 upon adding the referenced dates, adding the word "vacant" on the schedule, revising the language on Policy # 807 to include more than just the oversizing, and adding the word "Fund" to Policy # 808 second paragraph and that these policies be incorporated into the CIP Fiscal Analysis and the Fiscal Analysis be updated.**

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

Nays: S. Combs

Motion carried.

Clerk Bollin provided brief overview for residents on how they can be notified electronically of public hearings/special meetings/etc. through the Township Website by following the "Notify Me" subscription button on the home page. She also recommended residents subscribe to the calendars. Additional direction on locating the public hearing details from the homepage of the Township Website was provided.

**ADOPTION OF RESOLUTION – Formal Adoption of Livingston County Hazard Mitigation Plan**

Manager Vick provided a brief background on the Mitigation Plan indicating its adoption is required in order for BAFA to be eligible for certain grants.

R. Drouillard moved and P. Michel seconded **to adopt Resolution No. 18-021 formally adopting the Livingston County Hazard Mitigation Plan and authorize the Township Supervisor and Clerk to sign the resolution on behalf of the Township.**

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

Nays: None.

Motion carried.

**APPROVAL OF CONTRACT – MI State Police, Enhanced Alcohol Enforcement**

L. Weaire moved and S. Combs seconded **to authorize the Township Supervisor to execute a contract with the Michigan State Police for enhanced alcohol enforcement at a cost not-to-exceed \$6,000 for the period of October 1, 2018 to March 31, 2019.**

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

Nays: None.

Motion carried.

**APPROVAL OF CONTRACT AGREEMENTS FOR TOWNSHIP HALL SECURITY SYSTEM UPGRADES – Project Management Services, Convergent Technology Partners Inc. and Security Services, Weber Security Group, Inc.**

Z. Dyba, Assistant to the Manager, summarized the bidding process and provided a brief description of the project, stated a reference check was done on Weber's Security Group, confirmed Attorney Harris had reviewed the contract, and noted the Township received a grant for up to \$6,000 through Michigan Municipal Risk Management Association (MMRMA) to cover a portion of the cost. Eric Helsel, Convergent Technology Partners Inc. representative, summarized his review of the building and proposed system design, confirmed references were checked, and explained the cost differential. Discussion included contract wording, effective date, clarification of the mandatory alternates and voluntary alternate, cost of bond, \$300 rate per year for five (5) years (option to change service provider), panic buttons included vs. mandatory alternate, clarification on background checks, and protocols being followed when alarm is tripped.

L. Weaire moved and R. Drouillard seconded **to authorize the Township Supervisor and Clerk to sign the**

**security services agreement upon revising the payment terms services with Weber Security Group for a cost not-to-exceed \$19,200.79 and approving the first-year monitoring and further to approve the agreement with Convergent Technology Partners to perform project management services for the installation of the security system upgrades as presented for a cost not-to-exceed \$1,345.00.**

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

Nays: None.

Motion carried.

APPROVAL OF CONTRACT AGREEMENT – Phone System Design Services, Convergent Technology Partners Inc.

Z. Dyba, Assistant to the Manager, presented this upgrade as a budgeted item. Eric Helsel, CTP Inc. representative, provided explanation of the internet-based phone service and increased quality of service. Discussion included request that future agreements and contracts incorporate the Township's payment terms prior to being presented to the Board for approval: no objections were raised.

**R. Drouillard moved and S. Theis seconded to authorize the Township Supervisor and Clerk to sign the Agreement with Convergent Technology Partners Inc. for phone system design services contingent upon making the revisions to the payment terms in accordance with Township policies and for a cost not-to-exceed \$9,970.00.**

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

Nays: None.

Motion carried.

## REPORTS AND CORRESPONDENCE

### REPORTS

Livingston Community Water Authority Regular Meeting Minutes – June 20, 2018

Voter Turnout Report – August 7, 2018

S. Theis – New Director of SELCRA, Mike Parker.

R. Drouillard – Upcoming LCWA meeting. Tax collection update.

A. Bollin – Thanked Manager Vick for diffusing a situation in Township Hall.

P. Michel – BAFA update, considering revisiting the Articles of Incorporation. Open House and Halloween Party in October.

### DEPARTMENTS

Infrastructure Alternatives, Inc. Monthly Operating Report – August 2018

### CORRESPONDENCE

AT&T Annual Video Report

### MANAGER

Attending an upcoming Planning Seminar. Upcoming Joint Special Meeting with F.I.B., Brighton Township and Green Oak Township on October 2, 2018 at 7:00 P. M. at Green Oak Township Hall.

### CALL TO THE PUBLIC

None.

CLOSED EXECUTIVE SESSION – Trial or Settlement Strategy in Connection with Litigation specifically Mann Investments LLC v. Brighton Township

**A. Bollin moved and S. Theis seconded to go into closed executive session for the purpose of discussing Trial or Settlement Strategy in Connection with Litigation, specifically Mann Investments LLC v. Brighton Township.**

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

Nays: None.

Motion carried.

**The Board went into closed executive session at 8:55 P.M.**  
**The Board returned to open session at 9:24 P.M.**

ADJOURNMENT

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

The meeting adjourned at 9:25 P.M.

Respectfully submitted,

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Ann M. Bollin, CMC, CMMC, Clerk

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Patrick Michel, Supervisor