

MINUTES

**CHARTER TOWNSHIP OF BRIGHTON
UTILITIES COMMITTEE
4363 Buno Road
BRIGHTON, MI 48114**

**MARCH 9, 2021
SPECIAL MEETING
6:30 P.M.
(810) 229.0550**

Due to State of Michigan Department of Health and Human Services Emergency Order under 333.2253 and to Minimize the spread of COVID-19 this meeting was held electronically as permitted under PA 228 of 2020.

J. Dorset called the meeting to order at 6:30 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: J. Dorset (Brighton Township, MI), R. Drouillard (Brighton Township, MI), B. Kittridge (Brighton Township, MI), J. Panning (Brighton Township, MI), J. Stinedurf (Brighton Township, MI). P. Lyon (Brighton Township, Joined Meeting at 6:51 pm).

Also Present: B. Vick (Township Manager), K. Mathews (Township Planner), J. Harris (Township Attorney), G. Rose (Township Engineer)

Call to the Public Instructions to participants posted on screen.

CALL TO THE PUBLIC

M. Palmer, 10382 Grand River, Brighton MI. Commented on the following: VFW / Spirit Center REU assignment, historical documents, FIB metering, Unit Factor Schedule, commercial versus residential REU assignments.

AGENDA

B. Kittridge moved to approve agenda. J. Stinedurf supported.

Ayes: R. Drouillard, J. Stinedurf; B. Kittridge, J. Dorset, J. Panning

Absent: P. Lyon

Motion carried.

MINUTES

Motion by R. Drouillard to approve the January 26, 2021 minutes as presented and supported by J. Stinedurf.

Ayes: J. Stinedurf, R. Drouillard, B. Kittridge, J. Dorset, J. Panning

Absent: P. Lyon

Motion carried.

BUSINESS

REU Assignment Appeal-10590 Grand River, VFW Post 4357 (The Spirit Center)

Township Manager provided a synopsis of the addition to the existing building which triggered the REU recalculation from 2 REU to 22 REU, per the ordinance, and the appeal process which led to this being placed on the agenda.

Appellant representative, Mr. Conaway, Commander, VFW Post 4357, introduced their attorney, Roger Myers. R. Myers highlighted the original construction, the 2002 addition, and the REU assignment at that time. He questioned whether the 341 sq. ft. addition warranted an additional REU assignment.

P. Lyon joined meeting at 6:51 pm.

R. Myers continued by highlighting the differences in the REU Table for fraternal organizations (member only and with rentals); requested that committee grant appeal, deny the reassignment of any additional REUs, maintain same REU allocation that is currently in effect.

S. Conaway responded to Mr. Palmer's public comments regarding FIB, the meter replacement, lawn irrigation system and highlighted the frequency of rentals.

Township Manager provided additional clarification. This process is something the Township normally addresses on the front end at the time of construction. However, because construction took place without a permit, we are discussing this after the fact. As a reminder, in 2016, the Township was sued by the sewer users arguing that REU assignments were not fairly assigned and that residents were subsidizing nonresident properties.

Committee Discussion

The Utilities Committee discussed various elements raised by the applicant and the Manager such as: equitable REU assignment, FIB water usage, consistency, system design capacity, the REU assignment schedule in the ordinance, metering, peak usage, comparable businesses, comparable jurisdictions, Oakland County data, removal of addition, Manager's recommendation of 4 REU.

The Chair afforded the applicant the opportunity to provide additional comments:

S. Conaway commented on recalculation scenarios, sewer ordinance, interpretation of the word "plus".

R. Myers commented on the metering option, peak usage, ordinance language.

Committee Discussion Continued

The Utilities Committee discussed ordinance language regarding reevaluation, analogies to property assessments, ineligibility of financial hardship for consideration, metering option versus requirement, appeal process, and COVID impact on metering results.

J. Harris, Township Attorney, commented on the FIB meter data, Township Manager's recommendation, and payment-over-time option.

J. Panning moved and P. Lyon supported to move forward with the recommendation of 4 REUs total.

Ayes: J. Stinedurf, P. Lyon, 13. Kittridge, J. Dorset, J. Panning, R. Drouillard

Nays: None

MOTION APPROVED.

REPORTS / CORRESPONDENCE

Township Manager updated the Committee regarding their previous recommendation to the Township Board regarding the sewer rate increase of approximately 11% whereby the additional revenue would be deposited into the Sewer

Capital Reserve Fund. Unbeknownst to the Utilities Committee, the next day (January 27th), Township staff opened sealed bids for the Operator contract which were significantly more than what had been in place. Staff provided the updated bid information to Baker Tilly and asked Baker Tilly to incorporate the new data into their cashflow spreadsheets, which were provided to the Township Board. Township Board had a public hearing on March 1st, discussed Utilities Committee recommendation and result of Operator Request For Proposal. Township Board voted to increase sewer rates 25% to absorb the 11% recommendation from the SAW Grant analysis and operator rate increase.

CALL TO THE PUBLIC

J. Ewing 4230 Link Drive. Commented on the VFW Spirit Center REU appeal, involvement of professional assessor.

M. Palmer, 10382 Grand River, Brighton Township. Commented on the rate increase, UC members that are on the system, VFW Spirit Center REU appeal supplemental materials.

COMMITTEE COMMENTS-None.

R. Drouillard motioned and P. Lyon supported to adjourn at 9:30 pm.

Motion carried.

Respectfully submitted,

John Dorset, Chairman

Jeff Stinedurf, Secretary

Brian P. Vick, Recording Secretary