

SPRINGFIELD TOWNSHIP BOARD MEETING
September 11, 2008
SYNOPSIS

CALL TO ORDER: 7:30 p.m. by Supervisor Walls

PUBLIC COMMENT: Len Gorz, 7687 Brook Ln., commented regarding publication of proposed zoning ordinance amendments

CONSENT AGENDA:

- a) Approved Minutes: August 14, 2008 Regular Meeting with bills and additional disbursements of \$404,264.01
- b) Accepted August 2008 Treasurer's Report
- c) Received August 2008 Reports: Building, Electrical, Plumbing, Mechanical, Ordinance and Fire
- d) Authorized payment of bills as presented, total \$88,066.29
- e) Adopted Resolution authorizing road closure of Ridge Valley on October 4, 2008 for annual neighborhood picnic.
- f) Authorized \$3,000.00 contribution to Andersonville Cemetery Association
- g) Adopted Resolution authorizing request by Davisburg Rotary to hang banner between 650 and 655 Broadway
- h) Received communications and placed on file.

NEW BUSINESS:

- 1. Adopted 2008 Millage Rates: General Fund: .9950; Fire: 1.00; Police: .7163 & 1.50; Bond: .50
- 2. Adopted 2009 Property Tax Exemption Standards
- 3. First Reading, Amendments to Zoning Ordinance #26: Authorized Second Reading
- 4. Tabled to December 2008 Meeting consideration of Clinton River Watershed Council Service Agreement
- 5. Metro Act Permit: Conditionally approved AT&T Permit Extension

OLD BUSINESS:

- 1. Eagles Ridge Site Condominium: Conditionally approved Master Deed and By Laws

PUBLIC COMMENT: Clerk Strole clarified that Springfield Township exceeds statutory publishing requirements for zoning ordinance amendments
Len Gorz commented regarding future Township budgets and Township elected and staff salaries

ADJOURNED: 8:50 p.m.

NANCY STROLE, Clerk

Call to Order: Supervisor Collin Walls called the September 11, 2008 Regular Meeting of the Springfield Township Board to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Roll Call:

Board Members Present

Collin W. Walls	Township Supervisor
Nancy Strole	Township Clerk
David Hopper	Township Trustee
Marc Cooper	Township Trustee
Dennis Vallad	Township Trustee

Board Members Not Present

Jamie Dubre	Township Treasurer
Roger Lamont	Township Trustee

Others Present

Greg Need	Township Attorney
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Agenda Additions & Changes:

Supervisor Walls stated Board Members were provided with a corrected resolution regarding the Ridge Valley road closing. He also asked that item f on the Consent Agenda 'Authorize execution of letter agreement extending METRO Act Permit to Michigan Bell d/b/a AT&T to December 31, 2010' be moved to item 5 under 'New Business'.

Supervisor Walls stated Attorney Need called and indicated he would be late to tonight's meeting, and asked that 'Old Business' item 1 'Eagles Ridge Site Condominium: Master Deed & By Laws not be addressed until Attorney Need arrives.

There were no objections to these changes.

Public Comment:

Leonard Gorz, 7687 Brook Lane, congratulated the re-elected Trustees and the newly elected Supervisor and Clerk. He stated there is a First Reading tonight regarding changes to the Zoning Ordinance. He looked online to see what the changes are and stated it was difficult to determine what is being changed. He suggested making ordinance changes more accessible to the public.

Consent Agenda:

* **Trustee Vallad moved to approve the Consent Agenda with changes indicated this evening. Trustee Cooper supported the motion. Vote on the**

motion. Yes: Cooper, Hopper, Strole, Vallad and Walls; No: None; Absent: Dubre, Lamont. The motion carried by a 5 to 0 vote.

- a) Approval of Minutes: August 14, 2008 Regular Meeting with bills and additional disbursements of \$404,264.01
- b) Acceptance of August Treasurer's Report
- c) Receipt of August 2008 Reports: Building, Electrical, Plumbing, Mechanical, Ordinance and Fire
- d) Authorize payment of bills as presented, totaling \$88,066.29
- e) Adopt Resolution authorizing road closure of Ridge Valley on October 4, 2008 for annual neighborhood picnic.
- f) Authorize \$3,000.00 contribution to Andersonville Cemetery Association.
- g) Adopt Resolution authorizing request by Davisburg Rotary to hang banner between 650 and 655 Broadway

Receipt of Communications

- Receipt of Miscellaneous Resolution #08125 from Oakland County regarding state budget
- Thank You letter from Clarkston Area Youth Assistance
- Thank You letter from Holly Area Youth Assistance & monthly report
- Notice of Public Hearing from Road Commission for Oakland County, regarding proposed abandonment of Bridge Lake Road
- Letter from OCDC Commissioner John McCullouch regarding Clinton River Review event
- Oakland County Executive's Proclamation regarding National Preparedness Month
- Letter from Oakland County regarding anticipated Property Tax Declines for December 31, 2008

Public Hearing: None

Old Business:

1. Eagles Ridge Site Condominium: Master Deed & By Laws

Supervisor Walls stated this is a proposed development of thirteen units to be located on Eagle Road at the extreme southwest corner of the Township. The Township Board last reviewed this in January 2007. The plan, with a few minor revisions, was acceptable, but the Master Deed and By-Laws needed to be revised. He stated an updated Master Deed and By-Laws were received and reviewed by Lisa Hamameh and the revised documents are in front of the Township Board for review.

Supervisor Walls stated he looked in his file and the seed mix that is referenced in the By-Laws as appearing on Exhibit B actually appeared in the Landscape Plan with the December 27, 2007 construction plans. He provided Board members copies of what was presented in December of last year. He suggested the seed mix be added to section 8.4.k.13 of the By-Laws.

Supervisor Walls stated Lisa Hamameh refers to construction of Emergency Vehicle Easements and Emergency Vehicle Turnaround Easements. He stated the emergency easement is the road, so it will be constructed, and what needs to be constructed is the emergency vehicle turnaround within its easement.

Supervisor Walls stated Lisa Hamameh suggested, regarding home occupation, that a provision be added to the By-Laws that they will abide by the Township ordinances. He stated, that is required anyways, but the By-Law provisions are more restrictive.

Clerk Strole stated the Ordinance would pre-empt anything in the Master Deed and By-Laws that is less restrictive.

Supervisor Walls referred to Section 9.4 of the Master Deed, stating the only things not required to be built by Exhibit B is a path system and playground area. He asked if section 9.4 should be stricken; just because the path is not constructed does not mean the Township wants the Common Area to be withdrawn from the project.

Attorney Need responded he does not see any reason to keep Section 9.4 in the Master Deed.

Trustee Vallad referred to Lisa Hamameh's June 23, 2008 letter which states that the Township Engineer or other qualified personnel needs to review the legal description of these documents and asked if that has been done. Supervisor Walls stated that was done in 2007.

Trustee Vallad asked if a title commitment has been received. Supervisor Walls responded it has not.

Referring to page 24, section 7.14 of the By-Laws, Trustee Hopper stated the new language does not make sense. He does not think section 7.14 relates to building, but rather to unit height, and the title of the section should be changed.

Consensus was to keep the first sentence of the original language of section 7.14 and to change the new language to state unit height, instead of building, and to eliminate the second sentence from the original language of section 7.14.

Trustee Hopper referred to section 7.16 of the By-Laws and stated the way it reads leaves it open that soil from excavation could be dumped in the common area.

Supervisor Walls responded there is a spoils area located on the construction plans that is in the Common Area adjacent to Eagle Road. Trustee Hopper stated that area should be designated in the By-Laws.

Trustee Hopper referred to page 29, deleted section 7.k.12, that refers to fertilization and stated he would like that section to stay in the By-Laws.

Clerk Strole suggested minor language and grammatical changes to the Master Deed on pages 12, 15, 16, 17, 19, 20 and 22.

Clerk Strole suggested minor language and grammatical changes to the By-Laws on pages 23, 27, 28 and 31.

Attorney Need stated subsection T on page 31 of the By-Laws needs to be reworked.

* **Supervisor Walls moved that the Township Board grant approval of the Eagle's Ridge condominium project Construction Plans and Exhibit B received December 27, 2006; subject to changes and corrections discussed, and required, at the January 2007 Township Board meeting and the Master Deed and By-Laws that were a part of the September 11, 2008 Township Board packet with the changes and revisions discussed in the review letter of June 23, 2008 from Lisa Hamameh, the written suggestions in the September 3, 2008 memo to the Township Board from Supervisor Walls, and the other changes and corrections discussed tonight; with the condition that the revised Construction Plans and Exhibit B documents (if revisions are required) and the revised Master Deed and By-Laws be submitted to the Township by October 17, 2008 or approval is revoked; subject to review of all documents by the Township Attorney, Township Supervisor and Dave Hopper. Trustee Cooper supported the motion.**

Trustee Vallad asked if the motion included the title commitment. Supervisor Walls responded it does.

Vote on the motion: Yes: Cooper, Hopper, Strole, Vallad and Walls; No: None; Absent: Dubre, Lamont. The motion carried by a 5 to 0 vote.

New Business:

1. 2008 Millage Rates

Supervisor Walls stated for 2008 the total taxable value of the Township is approximately just under \$10,000,000.00 less than it was in 2007. For 2008, the Township will be levying, for the first time, a portion of the Police millage that was authorized for increase at the August 2006 election.

Supervisor Walls stated what is in front of the Board for approval is .995 mills for the General Fund (same as last year), 2.2163 combined millage for Police (last year was 2.0645 mills), .50 mill for the Civic Center bond repayment (last year was .53 mills), and 1.0 mill for Fire (last year was .65 mills). He stated the net difference is a little less than half a mill.

* **Clerk Strole moved to establish the 2008 millage rates as follows:**

- **General Fund Operating - .9950 mills**
- **Fire Millage – 1.00 mills**
- **Two Police Millages at a combined total of 2.2163 mills**
- **Bond - .50 mills**

Trustee Hopper supported the motion.

Supervisor Walls clarified the combined Police millage results from .7163 mills for the portion of the millage approved at the November 2004 election and 1.50 mills approved at the August 2006 election.

Vote on the motion: Yes: Cooper, Hopper, Strole, Vallad and Walls; No: None; Absent: Dubre, Lamont. The motion carried by a 5 to 0 vote.

2. 2009 Property Tax Exemption Standards

Supervisor Walls stated property tax exemptions under State law are allowed for families based on their income. He stated the Township has, for several years, had a set of standards adopted by the Township Board that indicates where net assets exceed \$250,000.00, the Board of Review is suppose to vary from the standards as far as income. He stated homes are included as part of the net assets. The proposal prepared by the Assessor is to reduce the net asset amount to \$125,000.00 and to eliminate the home value from that amount. Guidelines and a table were also prepared by the Assessor to deal with partial exemptions.

Trustee Vallad referred to a statement in the proposed property tax exemption standards that states “Special Assessments MAY be considered as a monthly expense on the application for purposes of determining the above-referenced 5% of income.” He asked if that was included in previously used standards. Supervisor Walls stated it was.

* **Trustee Hopper moved to adopt the 2009 Property Tax Exemption Standards as proposed. Trustee Vallad supported the motion. Vote on the motion: Yes: Cooper, Hopper, Strole, Vallad and Walls; No: None; Absent: Dubre, Lamont. The motion carried by a 5 to 0 vote.**

3. First Reading: Amendments to Zoning Ordinance #26

Supervisor Walls stated the changes to sections 6, 7 and 16.0 result in bringing the Zoning Ordinance into compliance with a recent change in State law dealing with State Licensed Residential Facilities

The changes proposed to Sections 4.02 & 5.02 are to delete references to a sub-section in the Ordinance that does not exist.

Changes to Section 16.06 are meant to clarify what access through greenbelts is allowed.

Section 18.07 changes came from the Planning Commission. If adopted, the changes would set up a procedure for administrative review and approval for minor changes to an approved site plans, and the ordinance changes defines what those minor changes will be. This change is patterned after the ordinance provision that allows minor changes to a PUD.

The changes to Section 19.00 & 19.03 are also a result of a change in State law. The proposed change puts into the Ordinance that a Township Board or Planning Commission representative on the Board of Appeals cannot vote on something that was voted on as a member of the Township Board or Planning Commission. The other change is to change from twenty-one days to thirty days, the right for someone to appeal a Board of Appeals decision.

Trustee Hopper stated there are two different time frames listed in the changes to section 19.03 and, as a matter of consistency, asked if they should be the same.

Supervisor Walls responded they should not be the same. He stated the time frame is thirty days if there is a written statement filed signed by the Chairperson or another Board member, or twenty-one days after the Board approves minutes. He stated current ordinance language states twenty-one days after the decision by the Board of Appeals, and the Township's Attorney has always indicated the twenty-one days has to be after approval of the minutes; the thirty-day provision is new.

*** Clerk Strole moved to authorize the Clerk to publish for Second Reading proposed amendments to the Zoning Ordinance as presented to the Board for First Reading. Trustee Cooper supported the motion. Vote on the motion: Yes: Cooper, Hopper, Strole, Vallad and Walls; No: None; Absent: Dubre, Lamont. The motion carried by 5 to 0 vote.**

4. Clinton River Watershed Council Service Agreement

Anne Vaara, Executive Director of the Clinton River Watershed Council, thanked the Board for supporting the Council, through membership dues, for many years. She addressed the Township Board and passed out materials to Board Members regarding the services and educational opportunities available through the Clinton River Watershed Council.

Trustee Vallad asked if any educational materials are available in video format that could be shown on the local cable station or website links to specific educational materials that residents could access.

Anne Vaara responded the Council does provide that level of service. She stated there are at least three communities interested in taping segments of presentations given by the Council that will be offered to any community. She stated the Council would be willing to partner with a local cable service to put something together.

*** Supervisor Walls moved to table the Agreement with the Clinton River Watershed Council until the December meeting and ask the Clinton River Watershed Council**

to provide a one year and three year draft agreement, making sure agreement language matches the addendums, and to provide an explanation of the programs, presentations, workshops and website linkages that would be provided through this agreement that are not already available to the community through membership dues; and provide a list of materials, presentations and workshops that are available, and were developed, with Springfield Township's assistance and financial contribution while the Township was a paying member of the Phase II program. Trustee Vallad supported the motion. Vote on the motion: Yes: Cooper, Hopper, Strole, Vallad and Walls; No: None; Absent: Dubre, Lamont. The motion carried by 5 to 0 vote.

5. Authorize execution of letter agreement extending METRO Act Permit to Michigan Bell d/b/a AT&T to December 31, 2010

Supervisor Walls stated a letter was received late yesterday from Lisa Hamameh in reference to the request by AT&T for a permit act extension. The letter indicates that the original permit was to Michigan Bell d/b/a SBC and the extension is requested by Michigan Bell d/b/a AT&T and that a transfer document should be supplied. He stated there are contacts and individuals listed in the existing permit in paragraphs three and twelve that have changed. He further stated Michigan Bell d/b/a SBC provided proof of self insurance when the permit was originally approved and similar information is needed from AT&T. In the original permit there was a statement that it covered all facilities constructed prior to November 2003 and updated information is needed.

Supervisor Walls stated late this afternoon he was contacted by Joan Richards, the METRO Act Administrator for AT&T, who indicated she has the proof of self insurance and will address all the other concerns by the end of next week.

- * **Supervisor Walls moved to approve extension of the METRO Act Permit upon condition of the Clerk's receipt of the information requested in Lisa Hamameh's letter of September 10, 2008. Trustee Cooper supported the motion. Vote on the motion: Yes: Cooper, Hopper, Strole, Vallad and Walls; No: None; Absent: Dubre, Lamont. The motion carried by 5 to 0 vote**

Public Comment:

Clerk Strole stated she appreciated Mr. Gorz's suggestions earlier in the meeting and clarified to him that the Township's procedures far exceed statutory requirements with respect to publishing. She stated the Township does far more than what is required and is always looking for ways to improve that.

Mr. Gorz stated his earlier comments were not meant to indicate that only the minimum is being done and he is just looking for more transparency in local government. He also commented regarding the budget process stating there has been discussion regarding increases to Township workers and elected officials and does not feel that is a needed expense.

Adjournment:

Hearing no other business, Supervisor Walls adjourned the meeting at 8:47 p.m.

Collin W. Walls, Township Supervisor

Nancy Strole, Township Clerk

BILLS PRESENTED FOR PAYMENT:**GENERAL FUND**

Springfield Township Parks & Rec.	\$ 50,000.00
Selective Insurance Company of America	3,001.01
Sherman Publications, Inc. (2)	200.00
Schindler Elevator Corp	520.62
Smith's Disposal	65.00
Mat Rental Service	50.50
Accident Fund	525.55
All N One Lawn Care	660.00
RLW Accounting Services, LLC (2)	262.50
Collin Walls	24.50
Waterland Office Machines	130.00
Road Commission for Oakland County	57.06
Jamie Dubre	557.68
Timothy A. Brendel Excavating, LLC	4,700.00
Bordine Nursery (2)	772.50
Printing Systems, Inc.	108.01
Oakland County (2)	325.00
Neighbor for Neighbor	596.48
Resource Data Systems Corporation	4,240.00
Carlisle/Wortman Associates, Inc.	<u>712.50</u>

TOTAL**\$ 67,508.91****Additional Disbursements:**

Consumers Energy	\$ 80.51
Nextel	30.83
RLW Accounting Services, LLC	140.00
Cutter's Edge	44.25
Absolute Building Maintenance	2,735.00
Adkison, Need & Allen, PLLC	3,052.33
American United Life	15.85
Andersonville Cemetery Assoc.	3,000.00
Carlisle/Wortman Associates (4)	2,757.50
Clarkston Glass Service, Inc.	293.65
DTE Energy (2)	1,588.66
DTE Energy – Street Lighting	1,816.08
Grant Ward Surveyors	40.00

James Layman, LLC	3,549.00
League Employee Benefit Services	8,800.89
Mechanical Comfort, Inc. (2)	259.13
Mike Forst	1,596.49
Mike LaLone, Inc.	62.50
Oakland County	354.00
Pitney Bowes (3)	632.50
Quill Corporation (3)	448.24
Road Commission for Oakland County	49.41
Spring Mountain Water Co.	41.25
Unicare	170.82
UNUM	286.92
Zilka Heating & Cooling, Inc.	1,182.00
TOTAL	\$ 33,027.81
<u>GRAND TOTAL</u>	<u>\$ 100,536.72</u>

BILLS PRESENTED FOR PAYMENT:	FIRE FUND
Selective Insurance Company of America	\$ 2,899.03
Accident Fund	2,924.37
Marlan Hillman	205.81
All N One Lawn Care	220.00
Allen & Hope Process Serving	63.24
Battery Products, Inc.	262.86
Comcast	45.95
52 nd District Court 2 nd Division	160.00
Home Depot	159.88
Kerton Lumber	18.99
Mazza Auto Parts, Inc.	288.39
McKay's Hardware, Inc.	40.49
Michigan Water Conditioning	22.50
NFPA	150.00
Payette & Associates, Inc.	19.10
Suburban Office & Janitorial	64.59
Matt Strickland	217.55
TOTAL	\$ 7,762.75

Additional Disbursements:

Nextel	\$ 73.71
Consumers Energy (2)	65.55
Douglass Safety Systems	132.53
League Employee Benefit Service	557.68
Oakland County Sheriff's Dept.	1,494.17
Quill Corporation	199.44
Road Commission for Oakland County	1,623.91
Spring Mountain Water Co.	14.25
State Wire and Terminal, Inc.	14.18
Tri-Anim Health Services	353.81
Unicare	49.14
UNUM	80.80
At&T	79.76
Comcast	79.16
DTE Energy (2)	<u>473.27</u>

TOTAL**\$ 5,291.36****GRAND TOTAL****\$ 13,054.11****BILLS PRESENTED FOR PAYMENT:****POLICE FUND**

None	<u>\$ 0.00</u>
TOTAL	\$ 0.00

Additional Disbursements:

Nextel	\$ 72.53
Oakland County Sheriff's Dept.	<u>119,849.23</u>

TOTAL**\$ 119,921.76****GRAND TOTAL****\$ 119,921.76****BILLS PRESENTED FOR PAYMENT:****CABLE TV FUND**

None	<u>\$ 0.00</u>
TOTAL	\$ 0.00

Additional Disbursements:

None	<u>\$ 0.00</u>
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TOTAL**\$ 0.00****GRAND TOTAL****\$ 0.00**

BILLS PRESENTED FOR PAYMENT:

None

TOTAL**Additional Disbursements:**

None

TOTAL**GRAND TOTAL****CIVIC CENTER DEBT
FUND**\$ 0.00**\$ 0.00**\$ 0.00**\$ 0.00****\$ 0.00****BILLS PRESENTED FOR PAYMENT:**

Ron Shelton

Tim Koerber

Charles B. Warner

TOTAL**Additional Disbursements:**

Nextel

TOTAL**GRAND TOTAL****BUILDING DEPT FUND**

\$ 374.73

60.45

546.00**\$ 981.18**\$ 23.42**\$ 23.42****\$ 1,004.60****BILLS PRESENTED FOR PAYMENT:*****Waumegah Well***

DTE Energy

Dixie Lake

Inland Lake Corporation

Booth Paterson P.C.

Aqua Weed Control, Inc. (2)

TOTAL**Additional Disbursements:*****Dixie Lake***

Aqua-Weed Control, Inc.

Bill Sash

TOTAL**GRAND TOTAL****LAKE IMPROVEMENT
FUND**

\$ 1,876.95

7,930.50

555.00

1,451.00**\$ 11,813.45**

\$ 1,251.00

500.00**\$ 1,751.00****\$ 13,564.45**

BILLS PRESENTED FOR PAYMENT:	SOFTWATER LAKE FUND	
None		<u>\$ 0.00</u>
	TOTAL	\$ 0.00
Additional Disbursements:		
None		<u>\$ 0.00</u>
	TOTAL	\$ 0.00
	<u>GRAND TOTAL</u>	<u>\$ 0.00</u>

<u>GRAND TOTAL FOR ALL FUNDS</u>	<u>\$ 248,081.64</u>
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Charter Township of Springfield

Clerk's Office	(248) 846-6510
General Offices	(248) 634-3111
Fax Number	(248) 634-2316

PERMIT #50066

RESOLUTION

RESOLVED, that Davisburg Rotary Club is hereby authorized to make application to the Road Commission for Oakland County on behalf of the Township of Springfield in the County of Oakland, Michigan for the necessary permit to:

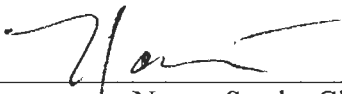
Hang a 2 foot by 20 foot two sided banner across Broadway in downtown Davisburg, east of the intersection with Eaton Rd. to be located between 655 Broadway and 650 Broadway with the bottom of the banner at least 18 feet above the road surface. The banner is to be installed as soon as a permit is issued by the Road Commission and removed on or before October 31, 2008.

And that the Township of Springfield in the County of Oakland, Michigan will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend and represent the Board against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permit as issued.

And that the Davisburg Rotary Club will maintain the banner.

Certification

I, Nancy Strole, duly elected Clerk of the Charter Township of Springfield, hereby certify that the foregoing is a true copy of a Resolution adopted by the Board of Trustees of the Charter Township of Springfield at a Special Meeting held on the 11th day of September, 2008.



Nancy Strole, Clerk



Charter Township of Springfield

Clerk's Office

General Offices

Fax Number

(248) 846-6510

(248) 634-3111

(248) 634-2316

PERMIT #50066

RESOLUTION

RESOLVED, that Davisburg Rotary Club is hereby authorized to make application to the Road Commission for Oakland County on behalf of the Township of Springfield in the County of Oakland, Michigan for the necessary permit to:

Hang a 2 foot by 20 foot two sided banner across Broadway in downtown Davisburg, east of the intersection with Eaton Rd. to be located between 655 Broadway and 650 Broadway with the bottom of the banner at least 18 feet above the road surface. The banner is to be installed as soon as a permit is issued by the Road Commission and removed on or before October 31, 2008.

And that the Township of Springfield in the County of Oakland, Michigan will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend and represent the Board against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permit as issued.

And that the Davisburg Rotary Club will maintain the banner.

Certification

I, Nancy Strole, duly elected Clerk of the Charter Township of Springfield, hereby certify that the foregoing is a true copy of a Resolution adopted by the Board of Trustees of the Charter Township of Springfield at a Special Meeting held on the 11th day of September, 2008.



Nancy Strole, Clerk