

**SPRINGFIELD TOWNSHIP BOARD MEETING**  
**October 14, 2004**  
**SYNOPSIS**

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

PUBLIC COMMENT:

CONSENT AGENDA:

- a) Approved Minutes: September 7, 2004 Budget Workshop and September 9, 2004 Regular Meeting with bills and additional disbursements of \$234,729.74
- b) Accepted September Treasurer's Report
- c) Received September Reports: Building, Electrical, Plumbing, Mechanical; Litigation; Fire, Ordinance & Assessing
- d) Authorized payment of bills as presented, total \$346,693.03
- e) Authorized Amendment to Fire Dept. Budget Expenditure: Decrease Capitol Outlay Fire Cost Center by \$24,000.00 to \$75,000.00, Decrease Purchase of Land/Equipment Cost Center by \$50,000.00 to \$115,000.00, Increase General Expenses Cost Center by \$37,000.00 to \$106,000.00 and Increase Equipment Cost Center by \$37,000.00 to \$66,700.00
- f) Authorized Amendment to Parks & Rec.'s budget: Revenue: Increase "Other Revenues" Center by \$16,000.00 to \$438,375.00 and total Revenues to \$522,879.00. Expenditure: Increase the "Operating" Cost Center by \$16,000.00 to \$65,470.00 and Total Expense to \$513,250.00
- g) Authorized Change of Bldg. Inspector status from flexible Part-Time to Regular Part-Time effective 10-1-04
- h) Authorized Design & Construction Standards variance to allow 3" asphalt over 8" base at Springfield Tech Center Phase II, customer and employee parking lots.
- i) Authorized placement of Cost Recovery Invoice No. 03-335 in the amount of \$302.75, P.I. No. 07-05-151-005, on 2004 Tax Roll
- j) Authorized renewal and upgrade of Arc Server Backup software Agreement for 2 years for \$1,474.35, through Resource Data Corporation.
- k) Received communications and placed on file

PUBLIC HEARING:

1. Community Development Block Grant 2005 Application: Received verbal and written comments

OLD BUSINESS:

1. Dangerous Building ID# 07-14-226-004 Demolition Order and Bids: Authorized Closed Session after Public Comments
2. Adopted Zoning Ordinance Amendment regarding Essential Services: Article II, Section 16.08
3. Adopted Amendments to Saturn North PUD
4. Adopted 2005 Parks & Shiawassee Budgets

NEW BUSINESS:

1. CDBG: Tabled action on 2005 Funds, Authorized Supervisor to enter into Sub-Recipient Agreement
2. Pebble Creek Unit 43: Conditionally approved request to amend side setback
3. Authorized bid on Fire Rescue Truck
4. Approved Design & Construction Standards Amendment: Chapter 12, Paving
5. Discussed Lake Boards Administration
6. Approved Ordinance No. 51 Amendments, Consolidated Fee Ordinance: Authorized Clerk to Publish for Second Reading
7. Approved Site Plan Review Fee Waiver Request by Oakland County Parks
8. NPDES Permit: Approved Illicit Discharge and Elimination Plan and Public Education Plan for Submission to MDEQ
9. Consumers Energy Pipeline: Authorized Closed Session after Public Comments

PUBLIC COMMENT: Diane Wozniak: Commented regarding Chief Oakes' previous remarks concerning petitions for recounts for offices of Supervisor, Clerk and Treasurer; inquired about parade date inquiry

Convened to Closed Session at 9:45 p.m., reconvened to Open Session at 10:20 p.m.

10. Consumer Energy Pipeline: Conceptually approved proposed settlement, subject to final approval by Supervisor, Clerk and Township Attorney.
11. Dangerous Building, ID # 07-14-226-004: Awarded demolition contract and authorized implementation of Township Board action taken at June 24, 2004 meeting.

ADJOURNED: 10:30 p.m.

NANCY STROLE, Clerk

**Call to Order:** Supervisor Collin Walls called the October 14, 2004 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
David Hopper	Township Trustee
Dean Baker	Township Trustee
Margaret Bloom	Township Trustee
Dennis Vallad	Township Trustee
Nancy Strole	Township Clerk

**Board Members Not Present**

Jamie Dubre	Township Treasurer
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**Others Present**

Gregory Need	Township Attorney
Leon Genre	Building and Planning Director
Charlie Oaks	Township Fire Chief

**Agenda Additions & Changes:**

Supervisor Walls noted that the last item under New Business, CRWC Agreement, should be deleted; it has already been approved.

Under Old Business, Consumer's Pipeline Discussion should be added as item #5.

On the bills list, there are bills listed in the lake fund referenced for Big Lake that should be Dixie Lake.

**Public Comment:**

Trustee Hopper thanked the Springfield Township Fire Department for their quick response last Thursday night, which prevented a fire from getting to occupied dwellings on Kingston Court.

**Consent Agenda:**

Trustee Hopper moved to approve the Consent Agenda as amended. Trustee Bloom supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.

- a) Approval of Minutes: September 7, 2004 Budget Workshop; September 9, 2004 Regular meeting with bills and additional disbursements of \$234,729.74.

- b) Acceptance of September Treasurer's Report
- c) Receipt of September Reports: Building, Electrical, Plumbing, Mechanical, Litigation, Fire, Ordinance, Assessing
- d) Authorized payment of bills as presented, total \$346,693.03.
- e) Authorize Amendment to Fire Dept. Budget Expenditure; Decrease Capital Outlay Fire Cost Center by \$24,000 to \$75,000, Decrease Purchase of Land/Equipment Cost Center by \$50,000 to \$115,000, Increase General Expenses Cost Center by \$37,000 to \$106,000 and Increase Equipment Cost Center by \$37,000 to \$66,700.
- f) Authorize Amendment to Parks & Rec.'s budget: Revenue: Increase "Other Revenues" Center by \$16,000.00 to \$438,375.00 and total Revenues to \$522,879.00. Expenditure: Increase the "Operating" Cost Center by \$16,000.00 to \$65,470.00 and Total Expense to \$513,250.00.
- g) Authorize Change of Building Inspector status from flexible Part-time to Regular Part-time effective 10-01-04.
- h) Authorize Design & Construction Standard variance to allow 3-inch asphalt over 8-inch base at Springfield Tech Center Phase II, customer and employee parking lots.
- i) Authorize placement of Cost Recovery Invoice No. 03-335 in the amount of \$302.75. P.I. # 07-05-151-005 on 2004 Tax Roll
- j) Authorize renewal and upgrade of Arc Server Backup software agreement for 2 years for \$1,474.35 through Resource Data Corporation

Receipt of Communications:

- 1. Letter from Oakland County regarding Brownfield Grant Applications
- 2. Receipt of CDBG Best Practice Award from Oakland County
- 3. Receipt of Letter from Holly Area Schools

## **Public Hearing:**

- 1. Community Development Block Grant 2005 Application

Supervisor Walls explained that this program uses federal funds channeled through Oakland County Community Development. The primary purpose of these funds is to benefit low and moderate-income individuals or households; also including senior citizens and the handicapped no matter what their income may be.

### **Supervisor Walls opened the Public Hearing at 7:37 p.m.**

Ms. Marie Verheyen of Oakland Livingston Human Service Agency (OLHSA), provided pamphlets that describe their programs in further detail.

Ms. Connie Stapleton of Lighthouse Emergency Services said she is available to answer any questions this evening.

Ms. Janet Stack-Miller of the Kaleidoscope Foundation said she appreciates the past support of Springfield Township. She would like to note that there is an increased need for people with

disabilities, particularly those living in group homes and there are many group homes in this area.

Mr. Doug Quinn of Holly Area Youth Assistance said he is available to answer any questions this evening.

Mr. Neil Paquette of Neighbor for Neighbor said he is available to answer any questions this evening regarding his organization.

There were no further public comments.

**Supervisor Walls closed the Public Hearing at 7:40 p.m.**

### **Old Business:**

1. Dangerous Building ID # 07-14-226-004; Demolition Order and Bids

- **Supervisor Walls moved that the Board go into closed session immediately following the balance of the regular portion of the meeting after Public Comment to discuss this matter and the letter from the Township Attorney under Attorney/Client privilege provisions. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

2. 2nd Reading, Essential Services, Zoning Ordinance Amendment - Article II, Section 16.08

- **Clerk Strole moved to adopt the amendment to Zoning Ordinance #26 dealing with Essential Services to take effect seven (7) days after publication of adoption. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

3. 2nd Reading Saturn North PUD Amendment

Supervisor Walls explained that this is a plan to add storage area at the rear of the current facility and additional sales area at the front of the facility.

Trustee Hopper asked if the illumination pattern lighting levels shown were initial or maintained? Mr. Delke of Saturn North said it is initial. Trustee Hopper asked the height of the light poles? Mr. Delke said they would match the existing poles.

Clerk Strole asked Mr. Delke if he intends to substitute for the Austrian Pine on the landscape plan? Mr. Delke said he would stick with the existing. The neighbors said they would prefer the Austrian Pine.

- **Clerk Strole moved to approve amendment to the Saturn North PUD based on the site plan date stamped October 4, 2004 with the understanding that the approved amendment will permit what otherwise would be variances for the asphalt, the illumination, the height of the lighting and the retention basin. Trustee Baker supported the motion.**
- **Trustee Vallad asked to amend the motion to state that the associated plans with the October 4th submission which include those three be included as part of the amendment. Clerk Strole and Trustee Baker supported the amended motion. Vote on the amended motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

#### 4. 2005 Parks & Shiawassee Budgets

- **Clerk Strole moved to adopt the 2005 Parks Fund Budget with Revenues and Expenses of \$574,811.00. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**
- **Supervisor Walls moved that the Board adopt the 2005 Shiawassee Budget, Revenue and Expense \$217,750.00. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

#### 5. Consumers Pipeline

- **Supervisor Walls moved that the Board go into closed session immediately following the other items of business on the agenda to discuss this item under attorney/client privilege. Clerk Strole supported the motion.**

Trustee Baker noted that he is a Consumer's Energy Employee and would like to abstain from this discussion and vote. There were no objections.

- **Vote on the motion. Yes: Walls, Hopper, Bloom, Vallad and Strole; No: none; Abstain: Baker; Absent: Dubre. The motion carried by a 5 to 0 vote.**

### **New Business:**

#### 1. 2005 CDBG Funds and Sub-Recipient Agreement

Supervisor Walls said we received a corrected Neighbor for Neighbor Budget. We are allowed to allocate \$7,803.00 to planning and management; he suggested that we allocate all of those funds for planning and management for either one of two projects, or we can include both in the application. The Library Board would like to do a needs assessment for staffing, and under the

Phase II program we will be required to locate and monitor certain storm systems. He suggested that we hire someone to do it or to assist the Township in doing it, map it and place it on a GIS system that we could add to as site plans come along. The Parks requested a total of \$9,377 to remove architectural barriers and he believes with a minor modification, they could reduce the cost considerably. Supervisor Walls suggested allocating \$5,000 for that, leaving a balance of \$12,714 to add to the emergency rehab program. This would provide over a two year period a total available of about \$18,000.

Clerk Strole asked Mr. Paquette of Neighbor for Neighbor, if he gets money from Groveland and Holly Townships? Mr. Paquette said they get \$2,000 from Groveland and have had no response from Holly Township.

Clerk Strole asked Ms. Stack-Miller of Kaleidoscope if there is a breakdown as to how many individuals are served in various communities? Ms. Stack-Miller said they do serve several townships in the community but their bulk comes from Davisburg and Springfield Township. Ms. Stack-Miller said they have approached other communities for funds and Groveland provided \$500 in 2003; Independence Township provided \$1,000 in 2003 and they continue to ask for funds.

Trustee Vallad said he would like to see the numbers of Springfield Township residents that are served from all the organizations that are requesting funds. Trustee Baker said he would also like to see the statistics.

- **Clerk Strole moved to authorize the Springfield Township Supervisor to execute and submit the Program Year 2005 Community Development Sub-Recipient Agreement. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**
- **Supervisor Walls moved to table the discussion of the allocation of Community Development Block Grant Funds until next month's meeting and request information on residents served and non-residents served from the various public service agencies. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

2. Pebble Creek Unit 43, request to amend setback

Supervisor Walls said this is a request to amend the side yard setback from 50 feet to 15 feet. This unit, when approved, was located adjacent to property zoned residential. At that time, we required an extra setback for buffer and that ordinance provision has been changed. The adjacent property has been developed and immediately adjacent to this lot is the Oak Valley open space areas. Mr. Roger Lamont, President of Pebble Creek Homeowners Association said he has not seen this plan yet but does not see a problem with the request. Any action would be subject to approval by Pebble Creek Association and recording any required amendments.

- **Trustee Vallad moved to approve the request for amended setback of Pebble Creek Unit 43 from the 50 foot side setback currently in place to a side setback of 15 feet on the eastern border of the unit per the memo received September 20, 2004, conditioned on consensus and approval by Pebble Creek Condominium Association and recording. Trustee Bloom supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

3. Fire Rescue Truck Purchase

Supervisor Walls said the Fire Department is requesting approval to submit a bid on a used, medium-duty 1999 rescue truck currently offered for sale by Independence Township. This truck would replace our 1996 vehicle. We would sell our current vehicle.

- **Supervisor Walls moved to authorize the Fire Chief and the Supervisor to submit a bid by the end of October where the net cost to the Township does not exceed \$50,000.00. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

4. Design & Construction Standards: Proposed Amendment

Trustee Hopper said he suggested the previous amendment for private roads. He believes there should be something that will insure the roads will last longer. His intent was for roads and not parking lots. Supervisor Walls noted that, in paragraph 4 a, he suggested in the last sentence that "Planning Commission" be replaced with "the body with final site plan approval." There were no objections to this change.

- **Clerk Strole moved to amend the Springfield Township Design & Construction Standards, specifically Chapter 12, paragraph 4.a.1 under Paving as drafted and presented to us by the consulting engineer with the change to reflect that it will be the body having final site plan approval authority that shall make the final determination regarding the required pavement cross-section for any given development requiring site plan approval. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

5. Lake Board Administration: Township Representative

Supervisor Walls said Lake Board Statutes do not assign responsibility for certain critical administrative functions for lake boards. The Oakland County Drain Commission used to do this by making sure notices are prepared and published, completed correctly and keeping records, processing payments, etc. Some of these things, the Township currently does under contract. However, since the Drain Commission no longer does that, we have four lake boards all doing things differently. All four have had difficulty with Hearings of Practicability and Assessment.

Supervisor Walls asked Board Members if assisting these lake boards is something the Township Board would be willing to do.

Clerk Strole said there is no harm in looking into performing this function but we need to think it through very carefully in regards to how it might best function and what staffing is available. But we also need to consider costs.

Trustee Vallad said he thinks we do need to get back to some maintenance and control of the lake boards at a cost to each individual lake board.

Trustee Bloom said she would agree to looking into this but does not think it should be a Township Board Member.

Trustee Hopper said he would concur with Trustee Vallad and agrees there should be a cost involved. Trustee Baker said he agrees we should look into all possibilities and review this carefully.

Supervisor Walls said he will provide a copy of senate bill 1266 to all Board Members and we could use it as a guide.

Mr. Jeff Reinhout, 8654 Indian Trail, commented that he agrees the Township Board should look into handling the administrative functions of Lake Boards in general.

Supervisor Walls said, in reference to a Township Representative, there has been a suggestion for a periodic meeting of the Township Reps or the Lake Boards. As to who should be the Township rep, there are many possibilities. He asked if anyone disagreed with establishing timelines, guidelines and expenses for lake board rep appointments? Trustee Hopper said it is a good idea. Trustee Baker said terms make good sense. Trustee Bloom agreed. Clerk Strole said it is a good idea and there is nothing saying we could not reappoint someone.

Ms. Lori Linehan, 8652 Miller Rd., said she concurs establishing expectations for the Lake Board Township Representative would be a great idea. She would like the representative to represent everyone's interest in the township whether or not they are a riparian. She said she supports term limits.

Mr. John Bistoff, 8625 Waumegah, said he concurs with term limits and establishing expectations.

Supervisor Walls asked the Board Members to give this some thought and submit their thoughts and opinions regarding guidelines and terms with a December target in mind. There was unanimous consent by the Board Members.

## 6. Ordinance No. 51: Consolidated Fee Ordinance

Supervisor Walls said that Planning Director Leon Genre has made some area comparisons and made some suggestions, which in his opinion, are very reasonable. There are two clerical errors;



under Electrical - Regular Service 200 amp, it should be \$40 not \$440. The other error, the electrical permit fee should be \$50 not \$40. Regarding the Plan Review Fee, it should be \$100 plus \$.09 per square foot, not plus \$.90 per square foot.

- **Clerk Strole moved to publish Consolidated Fee Ordinance 51 amendments for Second Reading at the first available opportunity. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

7. Site Plan Review Fee Waiver Request: Oakland County Parks

- **Trustee Bloom moved to waive the fees and consider this part of the contribution to the Ellis Barn Relocation project. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

8. Phase II

a) IDEP and PEP Plans

Supervisor Walls explained that it has been confirmed that, as drafted, the Illicit Discharge and Elimination Plan would require inspection of septic systems at point of sale and every five years thereafter, if Oakland County does not. He suggested changing the word "adoption" to "consider" so it would be consideration of an ordinance.

- **Supervisor Walls moved to approve the documents [Illicit Discharge and Elimination Plan and Public Education Plan] and authorize submission with the revision in reference to on-site disposal systems. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

## **Public Comment:**

Diane Wozniak, 11938 Big Lake Rd., commented, in regard to the public comment made at the September 9th, 2004 Board Meeting by Fire Chief Oaks, that Citizens for a Progressive Springfield did not request the ballot recount. Only individual candidates can request a vote recount, not a group or organization. Mrs. Wozniak also noted that Springfield Business Association has not received any correspondence from the Township Board regarding the Parade Request.

**Supervisor Walls moved to convene into Closed Session at 9:50 p.m.**

**Supervisor Walls reconvened into Open Session at 10:20 p.m.**

- **Supervisor Walls moved that the Board conceptually approve the proposed resolution with Consumers Energy as outlined and discussed in closed session subject to the final details being developed and approved by the Supervisor, Clerk and Township Attorney. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Hopper, Bloom, Vallad and Strole; No: none; Abstain: Baker; Absent: Dubre. The motion carried by a 5 to 0 vote.**
  
- **Supervisor Walls moved for the property commonly known as the Whoopee Bowl, that the Board award the demolition contract to North American Dismantling Corporation for an amount not to exceed \$35,000.00 in accordance with their July 29, 2004 bid, adjusted for the demolition that has already taken place and implement the action of the Township Board taken at the June 10, 2004 meeting because the property owner has not complied with the conditions of the March 24, 2003 Dangerous Buildings Hearing Officer's Order. More specifically that all doors and windows, windows in particular, that are broken were to be repaired or replaced and they have not; all weeds, overgrowth and debris on the property were to be removed. This included but was not limited to semi-trailers, inventory or other property stored outside; semi-trailers and other property still are stored outside on the property. The order required an engineering study including recommendations for how the building should be repaired and made safe; a complete study was not submitted. Although partial demolition took place by the property owners, the order was for the entire building and the partial demolition actually left windows without glass thereby exposing additional areas of the building to the elements, which is contrary to the provisions of the Dangerous Buildings Ordinance; and the partial demolition and removal of the support posts resulted in the holes in the concrete slab being open, creating a further dangerous condition. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Hopper, Baker, Bloom, Vallad and Strole; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

## **Adjournment:**

Hearing no other business, Supervisor Walls adjourned the meeting at 10: 30 p.m.

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Collin W. Walls, Township Supervisor

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Nancy Strole, Township Clerk